V. Rev. Fr. Dr. Vasile Mihai was born in Romania in 1952. After completing studies in Computer Science (1976) and Law (1984), he attended and graduated from Holy Cross Greek Orthodox School of Theology in 1999. He was ordained to the priesthood that summer and served at the Dormition of the Theotokos Greek Orthodox Church in Greensboro, NC until 2005. In 2006 he finished his D.Min at Pittsburgh Theological Seminary. With his wife Danielle, Father Mihai presently serves St. Paul's Greek Orthodox Church in Savannah, GA.

from a significant number of canons and the commentaries
ne canonists, this volume is an invaluable practical reference
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ent the author's contribution to the discipline of Canon Law
nt contemporary issues. While waiting for the codification of
Canon Law, readers will be deeply grateful to Fr. Vasile Mihai
ess work to make the canons more accessible and to present
holistic method of canonical interpretation according to the
Church."

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ofessor, Duquesne University

sile Mihai's reference book is an important contribution
wledge of and pastoral approach to the Canon Law of the
thodox Church in the English-speaking world. It stands in
dition of Eastern Orthodox canon law encyclopedias that
to the famous fourteenth century canon law encyclopedia
Blastares."

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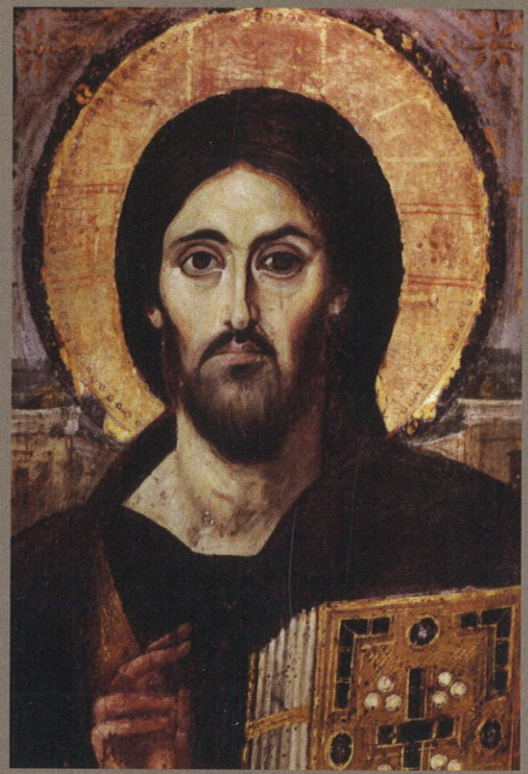
ORTHODOX CANON LAW REFERENCE BOOK

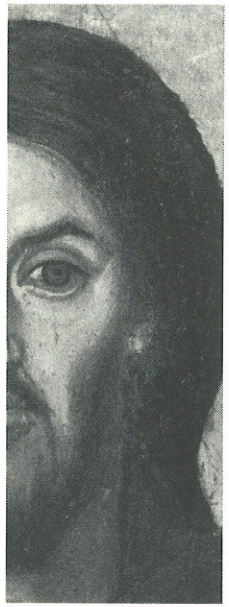
ORTHODOX CANON LAW

REFERENCE BOOK

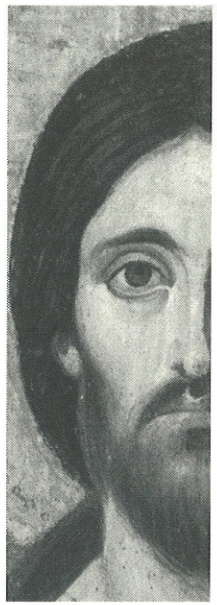


FR. VASILE MIHAI

On the front cover: Icon of Pantokrator,
St. Catherine Monastery, Sinai, VIth century, also known as
Christ of Justice and Mercy



When you cover the right side of His face, the left side appears the way He will be seen by those condemned on Judgment Day. The sharp eye, the raised brow, the book of law, all point to the truth and righteousness of the judgment.



When you cover the left side of His face, the right side appears the way He will be seen by those who will be found righteous on that day. The luminous eye, the peaceful face, the soft gesture of blessing, all point to mercy and peace.

Mercy and truth are met together;
Righteousness and peace have kissed each other.
(Ps. 85:10, KJV)
And this is the essence of life, of the Christian faith, and of the Orthodox Canon Law.

ORTHODOX CANON LAW REFERENCE BOOK

Compiled by Fr. Vasile Mihai,
JD, MDiv, DMin

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Cover: Artist Unknown. Blessing Christ holding the book of the Evangelists in his hand, icon, 6th century, Byzantine Monastery of Saint Catherine Sinai Egypt
Photo credit: Gianni Dagli Orti / The Art Archive at Art Resource, NY

This book is dedicated to the humble, unassuming, unknown priests who passed the light of Christ and the wisdom of the Church to generations and generations of Christians. If today we are richer in knowledge and wisdom, it is because we inherited from them a pearl of great price called Orthodox Canon Law; thus, we can strive to reach to the ideals of a Christian life.

One of the most misunderstood and overlooked principles in the Christian Orthodox Church is the theological importance of Canon Law. By Canon Law the Church traverses the sea of life to find rest in the harbor of Paradise. Established in the love that our Lord, God, and Savior Jesus Christ gives to the world, Canon Law provides the necessary order and discipline for the faithful people of God to follow on the way to salvation. It is the visible means by which the clergy and laity faithfully and harmoniously comprise the Church. The *Orthodox Canon Law Reference Book*, compiled by the Rev. Father Vasile Mihai, will provide necessary insight to a better understanding of the canonical order in which the Church is reconciled to the salvific message of Jesus Christ. I give thanks to God for Fr. Mihai's efforts, which I am confident will encourage greater study and understanding of Canon Law by all the people of God, clergy and laity.

Protopresbyter Jon Magoulias,
Annunciation Greek Orthodox Church, Modesto, CA.

GREEK ORTHODOX METROPOLIS OF ATLANTA
ΙΕΡΑ ΜΗΤΡΟΠΟΛΙΣ ΑΤΛΑΝΤΑΣ

July 24, 2013

Rev. Fr. Vasile Mihai

My dear Father Vasile,

"...God has given us the Holy Spirit to fill our hearts with His love." Romans 5:5

As we forward to the beginning of August and the beginning of the blessed period dedicated to the Most Holy Mother of God, it gives me great joy to greet you today in the Name of our Lord and Savior Jesus Christ, and I pray that you will be spiritually strengthened by the spiritual grace and blessings of this special time in our Church year.

I was delighted to receive your email regarding the publication of your book and I was both proud and pleased to learn that you have completed what I am confident will be an excellent and useful resource.

I wanted to express my love and sincere pride in your achievements and I know that your own family, as well as your parish family, are also proud of your accomplishments. I hope that this will not be the last work that you will publish.

May God send you peace, joy and contentment and every blessing of His love and grace always. With sincere prayers and affection and entreating our Lord's blessing upon you and your loved ones, I remain

.

Prayerfully yours with paternal love in Christ,

+Metropolitan Alexios

+ALEXIOS
Metropolitan of Atlanta

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Preface

Christian faith is a revealed faith. Thus, for a religious person, there is a tension between the mystery (and its corollary, revelation) and the personal experience of God. As a result of this tension, things that feel less than real, "the neat little dogmas and formulas about Him" put forward by the organized worship and discipline, are forced to become real.[1] The Holy Canons of the Orthodox Church are a result of such a tension between the ideal and the practical, as they attempt to make God's revelation tangible while at the same time elevating the fallen human person to a higher spiritual state.

The Canonical Tradition of the Orthodox Church is both ancient and complex as it develops over centuries through pronouncements of saintly men and decisions of Holy Councils.

There is a temptation to approach the Holy Canons as juridical law or to use them in the same way as secular law, but one should keep in mind that there is a great difference between the two in both purpose and method: the first deals with human transgression as sin and the latter as crime. The Holy Canons aspire to bring persons back into the grace of God and to help them overcome their fallen condition, while the secular law seeks punishment and restriction for prevention of the re-occurrence of the crime (although in modern times there has been an attempt to convert the penal system into a system of rehabilitation).

In underscoring the major differences between Canon Law and secular law, one has to start with the fundamentals: Orthodox Canon Law deals with sins rather than crimes. Although Canon Law involves coercion, this is meant to bring healing rather than punishment. In its divine aspiration, it attempts to bring the fallen into a state of grace. Thus, the

1. C. S. Lewis, *Mere Christianity* (New York: Macmillan, 1960), 135.

same sin may be committed by many people, yet penances (sanctions) are individualized to the sinner. Orthodox Canon Law is not seeking equality before the law but actually discriminates against people based on their status (lay or clergy) or rank ("every one to whom much is given, of him much be required"; Luke 12:48). Judgment is emphasized as universal in nature, yet sentences do not constitute precedents.

To many of those living by or researching Orthodox Canon Law in modern times, its prescriptions seem slightly disorganized, difficult to understand, and liberal in interpretation.

After much thought and prayerful deliberation, I put together this reference book on Orthodox Canon Law. The book may be viewed as a manual, but more limited in scope; as such, it does not define the domain or provide definitions. It may be considered a simple index of canons, but this is broadened to include notes and references. It can be seen as an encyclopedia, but it is not exhaustive. The entries have been sorted in alphabetical order for easy reference, but the book is not a dictionary. The short entries or definitions point to one or to many canons and so could give the appearance of a concordance, but the relationship between subjects and canons is unidirectional. Above all, this book is meant to be a practical reference guide.

The idea of a canonical index came to me more than ten years ago as I was writing a dissertation for the doctor of ministry program. Unsatisfied with the alphabetical index of *The Rudder* and with those found in other canonical books, I started to write an index in which a few features became the norm: entries organized alphabetically, brief definitions or summaries of the subject matter, ranking entries based on the authority of the issuing body (ecumenical council, regional council, Father, etc.), and the date of issuance. In such form, this reference book seems to be the first attempt in the English literature to organize by subject matter the myriad canonical prescriptions spread throughout many canonical collections.

If this can be considered a pioneer work, for sure that designation comes with the usual pitfalls: it did not benefit from a preexisting framework, the depth or the expanse of entries could not be compared to those of other works, the selection of entries is quite subjective and could always be judged irrelevant or insufficient, references under particular entries may be missing or judged irrelevant, and so on. I assume all these pitfalls, and I hope that readers will point out those shortcomings, allowing me to rectify them in a subsequent printing.

This reference book was never intended to give a clear and definitive answer to a specific canonical case. A qualified answer to a particular question should be the result of a process of interpretation undertaken by a knowledgeable person: a bishop, a priest, a spiritual father, or a theologian trained in Orthodox Canon Law. As the great majority of the canons were issued in the first millennium and since that time no major canonical legislation has been issued, their application to canonical exigencies of the present day can be done only through a process of careful interpretation.

To those who may consult this book for the purpose of applying canons to particular situations (mostly clergymen), as well as to those who simply want to learn more about Orthodox Canon Law, I make an appeal: *Please carefully read the introduction.*

In the introduction, the reader will be familiarized with the particularities of Orthodox Canon Law and, more important, will be given some examples of canon interpretation. I hope that those examples will make the readers and the users of the volume aware of how complex and difficult it can be to interpret and apply the canons to a particular situation, so they may be less prone to make extreme or rushed judgments.

The lofty goal of this reference book is to help the faithful obtain a correct understanding of Canon Law and thus to raise human judgment to divine judgment, to navigate from the world of merit to the world of grace, from law to love. We are all part of this journey as we all look for the blessings of the kingdom.

Fr. Vasile Mihai
January 2013

Acknowledgments

The publishing of this Canon Law Reference Book would not be possible without the support and encouragement of our Metropolitan Alexios of Atlanta, who graciously offered suggestions on the format and content of the book, of a number of dear clergymen and brothers in Christ, who "pressured" me to finish this long and difficult process of compilation, of my family and parishioners, who inspired me to embark on this journey, and to Rebecca Loumiotis, the copyeditor, and Konstantine Pietronuto, production manager for Holy Cross Orthodox Press, who painstakenly checked the manuscript and strengthen my dry and broken style of writing. To all much gratitude is due, while from those involved in the process and whose names have not been mentioned, I humbly ask for their forgiveness. If misstatements and errors are still present in the book, they should be attributed to nobody else than me; pointing them to me at (fathervasile@comcast.net) would be highly appreciated.

Introduction

1. What is this reference book?

The fast expansion of Christianity within the Roman Empire brought the need for order and discipline in worship and sacramental life. Deviations from Christ's teachings, from the teachings of the Holy Apostles and Fathers of the Church, and from widely accepted Tradition were labeled as heresies and had to be dealt with. If in the beginning the great majority of decisions were conciliatory in nature, later on rules of law and order were issued by different bodies of the Church: thus, the Canon Law of the Church became an intimate part of the life of the Church.

In spite of its very long and rich history, Canon Law as a tool for implementing Church teachings in the daily lives of parishioners is still confusing for many people. Many Christians are confused about the purpose of Canon Law: some view Canon Law as a tool of the ecclesiastical authorities; others believe that Canon Law is an authoritative declaration of God's will for humankind, while still others look at Canon Law simply as a part of Christian ethics.

The perceptions about the usefulness of Canon Law in today's society are also quite diverse. Some people believe that Canon Law is a product of the golden era of the Ecumenical Councils and of the Fathers' teachings and should therefore be followed strictly. For others, Canon Law is no longer needed, since the guidance of the Holy Spirit took its place. Finally, there are some, usually between these two extremes, for whom Canon Law is something mysterious and vague, transmitted through tradition (mostly by word of mouth, a kind of ecclesiastical folklore), that can be applied selectively, especially when it fits some particular agenda.

As if those difficulties were not enough, the complexity of Canon Law is augmented by the tension between its lofty goal (bringing people

to salvation) and the mundane reality of fallen humanity. In such a context, any attempt to develop a clear structure and well-defined mechanisms is destined to fail; that is why previous attempts to codify Orthodox Canon Law did not go beyond the level of desire, even if the effort was promoted by hierarchs, priests, and theologians.[1]

Searching for meaning and purpose in the extended, complicated, and uncodifiable Canon Law of the Orthodox Church, I realized that the Fathers of the Church, as well as the great canonists of the first millennium, believed that people's lives can be set on the right course if they are either punished or pardoned. In such a context, Canon Law can be simply viewed as a guide promoting unity of faith, stability in the Church, and concord among the people. Still, writing a guide or a reference book of canonical prescriptions in the Orthodox Church is not a simple task.

2. Why do we need Canon Law when we have secular law?

One undisputed truth of Christianity is that human beings are made in the image and likeness of our Creator, giving us the same substance and eternal life as the Creator. With the original sin, death and corruption entered the world. What was destined to be perfect and eternal became imperfect and temporal.

The cause of humanity is not totally lost; through the redeeming sacrifice of our Lord and Savior, perfection and eternal life can be regained through theosis and salvation. To know the Lord's teachings and the work of the Holy Apostles, of the Fathers of the Church, and of other people who labored in God's vineyard is part of our education for the kingdom. Implementing these teachings and experiencing God's love for us and for his creation is another requirement for possessing the fullness of the faith. This process of learning and living the faith must be undertaken in an organized way, under the auspices of the Church.

Canon Law is the formalized part of divine law. Because both Canon Law and secular law involve laws, some people may believe that there are

1. Metropolitan Bartholomew of Philadelphia (now Ecumenical Patriarch Bartholomew) wrote in 1973 about both the difficulty and the necessity of codifying Orthodox Canon Law. See Lewis J. Patsavos, *Spiritual Dimensions of the Holy Canons* (Brookline, MA: Holy Cross Orthodox Press, 2003), 8–9. Fr. Nicholas. N. Afanasiev hoped that "that the agenda of a future Council must include the question of the codification of canons," and offered suggestions about the ways to proceed. See Afanasiev, "Canons and Canonical Consciousness," in *Put'*, no. 39 (1933): appendix, trans. Alvian Smirensky. On support from theologians, see Patsavos, *Spiritual Dimensions*, 8–9.

no major differences between the two, that Canon Law is simply an application of secular law to Church matters.

One of the differences between Church and secular law is the source of the law; the will of God is the source of Church law, while for secular law it is the emperor, the parliament, or the elected legislative body. Patsavos has noted that Church law differs from secular law in "purpose (humanity's salvation), time (extending beyond this life into the next life), scope (including one's conscience), and place (the universal Church)."[2]

The philosophy of Canon Law is entirely different from that of secular, or human, law. In the search for unity, rabbinic and Roman law of the first centuries after Christ adopted measures that could be applied to everyone and in every place in the same way. On the other hand, in Christianity, where mystical experience is a major part of the faith, the challenge of regulating behavior led the Church to find its way. The Byzantines did not disregard secular law but let the state deal with crimes and injustice and looked to the Church to deal with wrongdoing and sin.

In Orthodoxy the mystical experience of God is part of daily life; therefore, the role of the Church and of the clergy is directed to meeting the needs of the soul, not those of the body. This understanding allowed the Church to focus on the revealed truth of God, thus carving out for itself that portion of human behavior that involves sin, leaving the state to deal with the breaking of the law. Knowing that love rather than fear is the basis of human behavior, the Canon Law of the Christian Church sought to personalize penances to suit both the gravity of the sin and the attitude of the penitent.

Those who are looking to find norms of behavior for all kinds of situations in which Christians should express their position may be disappointed to find that Orthodox Canon Law is corrective, not prescriptive, in nature—that is, it responds to situations once they have occurred and have affected the values of the Church, rather than anticipating situations before they actually arise.

The canons were issued by the Ecumenical Councils, by regional councils (subsequently ratified by the Ecumenical Councils), and by the Fathers of the Church. These canons have been collected and interpreted in *The Rudder* (*Pedalion*) and in other collections of canons.[3] Along with those canons, autocephalous churches, as well as other branches of the

2. See Patsavos, *Spiritual Dimensions* 5–7.

3. Nicodemus and Agapius, *The Rudder* (*of the Orthodox Catholic Church*), ed. D. Cummings (New York: Luna Printing Co., 1983).

Church, issued their own canonical decrees, which mainly deal with the organization, the relationships, and customs of the local churches. Naturally, multiple and diverse sources of canons make their codification very difficult.

3. Sin and Canon Law

Among all canons of Orthodox Canon Law, the so-called disciplinary, or penitential, canons represent the great majority. These canons deal primarily with wrongdoing and sin; that is why in this section I attempt to establish the proper relationship between sin and canon law. Besides disciplinary issues, Orthodox Canon law deals also with dogmatic and administrative matters. Many of the administrative canons were issued as result of interactions between the Church and the state; thus, they are not so different from secular laws and regulations. Quite interesting and unique are the canonical prescriptions related to sin and wrongdoing.

The irony of human existence is that even though we are created in the image and likeness of God, we distance ourselves more and more from him. The sin and corruption that came into the world at the time of creation should be seen in both a physical and a spiritual way. Our position vis-à-vis God the Creator shows where we are in relation to him. St. Basil the Great, in one of his homilies, discussed a man and his shadow; by a small change of his position he may turn toward the sun (light) or toward his own shadow (darkness).

Darkness is used in many situations as a preferred image for sin. St. Basil's imagery is quite apt because it underscores the person's willingness to turn. The same is true of sin: Scripture is very clear that in sinning human beings have voluntarily broken the will of God (Isa. 49:12–13; Rom. 5:13; James 2:9).

Nostalgia for the kingdom attracts human beings to God, but sin distances them. The Fathers of the Church thought of sin as a disease of the soul and mind. Sin should be seen not simply as doing bad things but rather as a rebellious effort of the free individual to break covenant with God. In breaking communion with God, who is the source of humanity's life, a person is working toward his or her downfall.

Modern society has distanced religion and morality from public and civil life and confined it to the arena of subjective, private, and somewhat inconsequential matters. In this context, understanding sin, its consequences, and its correction (through Canon Law) becomes quite challenging.

In the New Testament the concept of sin is expressed through five different Greek words, while in English we have only one.[4] The most common Greek term is *hamartia*, missing the target; through sin we fail to be what we were meant to be and what we could have been. Another word is *parabasis*, which literally means "stepping across": thus, sin is stepping across the line that separates right from wrong. The third word is *paraptoma*, which means slipping across: we may walk with good intentions, but we slip in sin because of temptation. Another word is *anomia*, which means "breaking the law": in this case, we know the law and know that we are breaking it; nevertheless, we do it. The fifth word is *opheilema*, which means "debt": in this case, sin is a failure to pay what is due, in a more general sense a failure of duty. As all of us fail in some duties, we all are touched by this universal and contagious aspect of sin.

This glance into the diversity of sins through their semantic expressions should make the casual reader aware of the monumental task involved in Orthodox Canon Law: that of accurately understanding the sins, their context, and the corrective measures needed for proper healing. The philosophy of Orthodox Canon Law is well suited to this task; however, its application is only as successful as the sinners are accepting of its corrective measures.

4. Canons

Canons are ecclesiastical norms issued by the Church through the collective voice of the bishops gathered in ecumenical or local synods, speaking through the inspiration of the Holy Spirit and in agreement with Christ's teachings and the dogmas of the Church. In addition, the Fathers of the Church issued canons or wrote letters that eventually came to be considered entirely or partially canonical. The autocephalous churches issued decrees concerning the life of the Church and particular aspects of their order and discipline.

The Tradition of the Church also contributed to the corpus of ecclesiastical norms with truths of faith that eventually entered into universal acceptance. A special place in Canon Law is given to the Can-

4. The transliteration of these Greek words and some of their explanations are taken from William Barclay, *The Gospel of Matthew* (Louisville, KY: Westminster John Knox, 1975), 1:220–221.

ons of the Holy Apostles, attributed to the apostles and collected in different works.[5]

The word canon (κανών) is confusing because it was applied to different subjects, and its meaning changed over time. The original meaning was "straight rod," "stick," "measure," or "line," a tool used for measuring in tailoring and other activities. St. Paul used the word for a prescribed sphere of the apostolic life (Gal. 6:16). Other Fathers of the Church used the word to refer to measuring Christian attainment (Clement of Rome), judging the appropriateness of a baptismal creed (Irenaeus), or even in the phrase "canon of faith" (Hippolytus of Rome).[6] For some centuries the word was understood as "tradition"; eventually, it referred to the right faith (canon of truth), to the right collection of books in the Old and New Testaments (canon of Scripture), and even to workers of the Church (canonists).

The first use of the term *canon* for a council enactment came at the end of the fourth century, in canon 2 of the Second Ecumenical Council and in the *Apostolic Constitutions*.[7] The historian Socrates[8] used the term in the mid-fifth century in reference to the twenty canons of the First Ecumenical Council and from him, the usage became generalized. It is quite interesting that up to the fifth century, the term *canon* (κανών) was used alternatively with the term ὅρος, which meant "decree, rule, determination."[9] Additional considerations on the meaning of the word

5. In the Orthodox Church eighty-five canons are attributed to the apostles, while in the Roman Catholic Church only fifty are. Some canonists believe that the smaller number represents not a decision of the Church of the West but the number of canons translated from Greek to Latin by Dionysius Exiguus.

6. See Philip Schaff and Henry Wace, eds., *Nicene and Post-Nicene Fathers of the Christian Church*, series 2, vol. 14, *The Seven Ecumenical Councils* (Grand Rapids, Michigan, Wm. B. Eerdmans Publishing Company, 1991), 9. Hereafter, this reference is abbreviated NPNF 2.14.

7. Canon 2 of the Second Ecumenical Council contains the following statement: "but let the Bishop of Alexandria, according to the canons, alone administer the affairs of Egypt" (NPNF 2.14:176). When quoted partially or in entirety, the canons are here reproduced from the online edition of NPNF 2.14, from the website of the Christian Classics Ethereal Library, http://www.ccel.org/ccel/schaff/npnf214.html.

8. Not to be confounded with the philosopher Socrates. Socrates Scholasticus was a Christian historian born in 380, a contemporary with Sozomen and Theodoret, made famous by writing a (Church History), a sort of continuation of Eusebius of Caesarea's book with the same title.

9. The Council of Sardica used the word ὅρος both in the minutes and in the canons.

"canon" can be found in the Appendix, under EXCURSUS ON THE MEANING OF THE WORD "CANON."

In modern times the use of the term *canon* has been restricted mostly to matters of discipline in the Church, a short rule enacted by a proper Church authority to underscore truths of faith (dogmatic canons) or to correct behavior (penitential or disciplinary canons). The dogmatic canons are unchangeable, immutable truths of faith and consequently are not to be submitted to interpretation or to the *akriveia/economia* institution.[10] The disciplinary canons, in contrast, were given for specific situations and in specific contexts that could change with time, so they can be submitted to interpretation and to the *akriveia/economia* institution.

Among the canons there is a clear hierarchy: those issued by the Ecumenical Councils are the most important, followed by those issued by the local councils, and then by those of the Fathers.

Rules and decrees issued by Orthodox Churches duplicate in great measure the canons issued by the councils and the Fathers, but sometimes they are different; their application is local and not universal; thus, they are advisory rules.

The degree of reverence shown to the canons may be high, but their application in the daily lives of the faithful is strongly determined by the way in which the sinner accepts his or her responsibility for wrongdoing.[11] This last aspect makes the interpretation and the application of the canons paramount tasks in Orthodox Canon Law.

5. Interpretation of the canons

The starting point in interpretation of the canons is acceptance that the canons are the ecclesiastical enactment of the highest authorities of the Church as revealed truths of Christ and Scripture, sometimes mediated by spiritual fathers' experience dealing with wounded people and with institutions (secular or religious).

When making an interpretation of the disciplinary canons (which constitute the majority of canons) one should clearly understand that by its nature Orthodox Canon Law is reactive rather than proactive. Canons were issued for situations and behaviors that deviated from the norms, not for future or potential situations. Evolution in society and mores

10. *Akriveia*, or harshness, is the strict application (sometimes even extension) of the penance given to an unrepentant and habitual offender. *Economia*, or sweetness, is a judicious relaxation of the penance when the sinner shows remorse and repentance.

11. Some theologians refer to the canons as "holy canons."

brought to the fore sins previously unknown and for which there were no canons; through careful interpretation and association, a canonist could recommend an already existing canon.[12]

Great attention should be paid to the situation in which multiple canons issued in different periods and by different authorities refer to the same matter.[13] Reviewing all pertinent canons and considering their relevance today, along with establishing the role of interpretation in finding a solution, should be the general framework followed by the canonist.

Many canons were formulated by bishops based on the conciliar theory, in which consensus played a major role.[14] This must be taken into consideration by the bishop or the spiritual father; he must choose the appropriate canon and interpret it according to the mind (intention) of the Church rather than according to his own opinion.

The interpreter of canons may look for help in finding similar cases or in the length of the penances given by different Fathers. However, by the application of *akriveia* or *economia*, each solution is unique and often

12. For example, there are no canons for (outrageous) tattoos or piercings; through association and interpretation, however, a canon that condemns the voluntary mutilation (castration, making a eunuch) of the body can be applied instead. See the entry CASTRATION (SELF).

13. Canons related to heretics show some evolution in the matters of their reception in the Great Church and of the validity of their sacraments; for example, canon 68 of the Holy Apostles declares invalid all the sacraments performed by heretics, while other canons (e.g., canon 19 of the First Ecumenical Council, canon 8 of Laodicea) declare invalid the sacraments of some heretics. Still other canons (canon 8 of the First Ecumenical Council, canon 68 of Carthage, canon 1 of St. Basil the Great, canon 12 of Theophilus of Alexandria) recognize the validity of other sacraments performed by the heretics. For example, the sacrament of ordination of the Cathari and Donatists were recognized, the baptism in Asia was recognized for the Puritans but not for the Encratites by St. Basil, while St. Theophilus would offer Holy Communion after repentance. Eventually, by the time canon 2 of the Sixth Ecumenical Council (in Trullo, 691) was established, all previous canonical inheritance was recognized as valid, including canons that seem to be contradictory. Moreover, disciplinary canons issued earlier seem to he harsher than those issued later. The most striking comparisons are those between the penances given for the same sin by St. Basil the Great (d. 379) and by St. John the Faster (d. 595). In many of his canons, St. John mentions the penances of St. Basil, and by adding other forms of penance (e.g., eating dry food, doing prostrations), St. John reduces the years of excommunication.

14. For example, at the Council of Sardica, the presider, who was Ossius of Cordoba, after deliberations and formulation of the canon, would ask, *Si hoc placet?* (Is this pleasing to all?), and all the bishops would answer *Placet* (It is pleasing). See Hamilton Hess, *The Early Development of Canon Law and the Council of Sardica* (Oxford: Oxford University Press, 2002), 212–225.

a private one. It would be good to keep in mind that there are no precedents in Orthodox Canon Law.

The dispenser of the canon—bishop, priest, or spiritual father—has to understand that the sin is between Christ and the sinner. The dispenser may work for Christ and the Church, but he is not part of the grievance and consequently should not take an adversarial position toward the sinner. He should look for healing rather than punishment. In interpreting and applying a canon, a middle-of-the road approach is the most advisable. Many times in the history of the Church and of Canon Law, extreme positions brought schisms and hard times.

Focusing on the juridical and procedural aspects of the canons makes them more palatable to people by bringing Canon Law closer to secular law, but it impoverishes Canon Law by robbing it of godly revelation. On the other hand, focusing on the norms and principles derived from its divine aspects brings Canon Law closer to God, but it also weakens its missionary work, neglects ecclesiastical reality, and shows a lack of understanding of human frailty.

Finally, a serious and careful interpretation is needed because the Orthodox discipline is based neither on legalism (as in the Roman Catholic Church) nor on logic (as in Protestant churches), but on both intellectual and mystical approaches to God.

6. Examples of interpretation

Interpretation of the canons constitutes a vast and complex domain; therefore, I limit this discussion to some brief observations illustrated by examples. The examples of interpretations offered here are based on questions that I received over the years from my fellow Orthodox priests and also from non-Orthodox people concerning particular situations not self-evident in the canons. Most of the time those questions dealt with what are perceived as different, abnormal, or even shocking expectations about the order and discipline in the Orthodox Church.

The great majority of the so-called normal prescriptions can be found in the entries of this reference book. I deliberately chose here as examples of interpretation some questions related to Orthodox canonical prescriptions that might be seen as the most confusing, erroneous, outrageous, or innocuous. The most confusing question relates to the hierarchs of the Orthodox Church: Is an Orthodox bishop named, appointed, or elected? The most erroneous question relates to the laity: Can a layperson be denied Holy Communion if he or she arrives after the Gospel reading? The

most outrageous question asked by the non-Orthodox is this: Are Orthodox priests allowed to marry? And the most innocuous question relates to the behavior of the Orthodox: Is a clergyman or a layperson allowed to charge interest on money lent?

6.1. Is an Orthodox bishop named, elected, or appointed?

The Reformation of Martin Luther (1517) marked the start of great divisions among the Christian Churches. For the first time in Church history, the role of the Church, Scripture, Fathers, Tradition, Saints and Martyrs, and sacraments and rites was no longer viewed as an expression of God's presence among the people but as a creation of a venal and arrogant hierarchy (that of the Roman Catholic Church). The revealed truth of Christ's teaching was replaced with individual judgment about Scripture and faith. In 1517 there were two major churches, the Roman Catholic Church and the Greek Orthodox Church); less than 150 years later, there were already four major Christian churches, and seeds had been planted for many more.[15]

Most modern Christian churches adopted hierarchies, or rankings, for their leaders, which often did not have any connection with the Scripture, Tradition, or the Canon Law of the Christian Church of the first millennium. Faced with many new and creative ways of installing leaders, the confused observer may extend the same question to the Orthodox Church: Is an Orthodox bishop named, appointed, or elected?

6.1.1. Biblical analysis

In Christ's Church the highest rank is that of bishop (overseer), the one set in his leadership role by the Holy Apostles, who traveled the world and organized Christian communities with the purpose of spreading the good news of the kingdom.

In the New Testament the term bishop (ἐπίσκοπος) is used five times.[16] In the first four texts the term *bishop* alternates with *presbyter*,

15. The Treaty of Westphalia (1648) marked the end of Reformation and recognized four major Christian religions: Roman Catholic, Greek Orthodox, Lutheran, and Calvinist. These last two eventually split, and many other churches sprang from them; according to the Center for the Study of Global Christianity (CSGC) at Gordon-Conwell Theological Seminary in 2004 there were 39,000 Christian denominations in the world, ranging is size from millions to less than 100 members (World Christian Trends 2005, IFMA/EFMA, St. Louis, September 2004, Todd M. Johnson, CSGC, www.globalchristianity.org).

16. These five instances are Acts 20:28; Philippians 1:1; 1 Timothy 3:2; Titus 1:7; 1 Peter 2:5.

without a clear distinction between the two, as in the early days of Christianity some functions carried the same name even though the servants who fulfilled them were different. In Acts of the Apostles 20:17–18 and Philippians 1:1, both terms (presbyter and bishop) are used, and that raises the question whether all those leaders in Ephesus were presbyters while those in Philippi were bishops. It is well known that the apostles left one bishop in newly evangelized cities, so both cities had a sitting bishop and many presbyters.

Among those sitting bishops, St. Paul fondly mentioned two close associates, St. Timothy and St. Titus. St. Titus was a remarkable convert from paganism and was sent to the island of Crete to help with the process of conversion and to appoint presbyters in the various cities. The Tradition of the Church also mentions St. James, the brother of the Lord, as the first bishop of Jerusalem. St. James, St. Peter, and St. John were called "pillars of the Church."[17]

Concerning the recruiting of bishops, one can see that at the very beginning they were named or appointed by the Holy Apostles and that eventually they were elected by other bishops. In both situations, the consensus of the local community was sought, so an elected bishop met the expectations of the emerging local church and enjoyed a good reputation among the brethren.

The Church viewed the bishop as an heir of the apostles and a servant of Christ, so a process of consecration had to follow the recruitment. The recruitment was done through nomination or election. This process of consecration is called *cheirotonia*, or ordination for ministry, through which a person is set aside and then sanctified for the work of God. In the Orthodox understanding, one becomes a Christian for oneself through baptism, while through ordination one becomes a priest for God and his flock.

The term *cheirotonia* has been used throughout the ages with slightly different meanings: in the Old Testament *cheirotonia* was understood as the election of one who was made part of the service of God when a portion of the sacrificial offering was "passed into his hands." Eventually, the term came to be understood as consecration by "the laying of hands" on the one who was to be sanctified for the service of God.[18]

17. See Galatians 2:9.

18. *Cheirotonia* as election for service to God can be seen in Didache 15:12, in St. Ignatios of Antioch, and in the Apostolic Tradition of Hippolytus of Rome. *Cheirotonia*

6.1.2. Historical analysis

The tradition of the Holy Apostles' naming bishops was used for a time, but once the Church established its order (*taxis*) and discipline, the naming of bishops became quite rare. Occasionally, bishops were named up until the fourth century and even beyond; among the most celebrated cases I mention that of St. Ambrose, who with the help of the emperor Valentinian was elected bishop of Mediolanum (Milan) on December 7, 374, at the age of thirty, directly from lay status (remarkably, he was a catechumen, not even baptized). Another famous case is that of Nectarios, Patriarch of Constantinople; Nectarios was a lawyer in the legal department of the emperor Theodosius, who imposed his ordination when Gregory of Nazianzus resigned his position. In a matter of days Nectarios was elevated from catechumen to bishop and Patriarch of Constantinople and president of the Second Ecumenical Council. If that is not outrageous enough, the case of Flavian is most revealing of people's attachment to signs and abandonment of reason and canonical prescriptions. Flavian, a monk who happened to walk in front of St. Peter's Basilica and on whom a white dove landed, was made pope within several days, as the Holy Spirit was thought to have revealed himself through the white dove.

During the first three centuries after Christ, Christian communities developed in the major cities of the Roman Empire. The Church operated on a one city–one bishop–one Church principle, which implied that a specific territory was assigned to the care of a particular bishop.[19] Ecclesiastical boundaries came to the attention of the councils and synods of bishops that eventually surfaced in other canonical prescriptions: a bishopcould not leave his diocese and enter another without authorization;[20] a bishop could not ordain anyone outside his diocese;[21] when transferring to another diocese, excommunicated clergymen or laymen could not be accepted by another bishop;[22] clergymen who leave their diocese without their bishop's approval are deprived of the right to serve in another

with both meanings can be found in some references in the *Apostolic Constitutions* 2.2, 3; 6.7; 7.46.

19. This principle epitomized in the eighth canon of the First Ecumenical Council.
20. Canon 14 of the Holy Apostles.
21. Canon 35 of the Holy Apostles.
22. Canon 12 of the Holy Apostles.

diocese;[23] excommunication pronounced by a bishop could be lifted by another bishop.[24]

In the second and third centuries it was common practice for the ruling bishop to serve in the main city of his province, while *chorepiscopoi* (auxiliary bishops) and presbyters would serve in the neighboring towns and villages. However, at the beginning of the fourth century, the Roman emperor Diocletian (284–305) reorganized the empire and united a few provinces into dioceses and then placed the dioceses into larger units eventually called by the Church metropolises. As the Church followed the territorial organization of the state, there arose new titles (i.e., metropolitan) and new attributions for the recruitment of bishops.

At the same time the Christian Church started to limit laypeople's rights to vote in the election of bishops, transferring the authority to the provincial synods and to the metropolitans.[25] New tensions arose from this process of territorial reorganization that were eventually extinguished as the councils clarified the rights of the metropolitans versus those of the bishops.[26]

This canonical approach to selecting bishops for the Orthodox Church remained in place all the way into the twentieth century. In autocephalous churches, the bishops are elected by their synods of bishops, with the participation of the laity. Churches that have suffered divisions or were in exile (such as the Russian Church and other Eastern European Churches) had to adjust the manner of electing bishops by submitting the names of a few candidates (usually three) to mother churches or to the Patriarchate of Constantinople. In some of these local churches the input of laity is mostly of an advisory nature, while in others both the laypeople and the clergymen vote in the election of their bishops.[27]

23. Canon 15 of the Holy Apostles.
24. Canons 16 and 32 of the Holy Apostles.
25. In the wording of canon 13 of Laodicea (343–381), the election of priests should not be committed to the multitude, but both Theodore Balsamon and Alexios Aristenos believe that the canon refers also to the bishops.
26. Some of these canonical clarifications were issued at the Council of Constantinople I–II (861).
27. Lay and clergy delegates to the All American Councils of the Orthodox Church of America vote in the election of their bishops; in the American Carpatho-Russian Orthodox Diocese (where there is no synod), the priests and the laypeople elect their bishop.

6.1.3. Canonical analysis

The development of the order and discipline of the Christian Church restricted the naming and appointing of bishops and replaced them with elections; in the process of election a proper vetting of the candidates was defined and implemented. Some excesses in the bishops' behavior were curbed, and some of their rights and privileges came under the control of the provincial synods and of their superiors, the metropolitans.

When the proper procedure for election of the bishops became generalized in the early Church, a bishop could no longer appoint another as his successor; any such appointment would be void.[28] This practice of naming a successor in a bishop's old age led to the concept of a coadjutor bishop with the right of succession (*cum jure successionis*), a concept exercised at different periods in the history of the Church.[29]

Canon 4 of the First Ecumenical Council requires that a bishop be appointed by all the bishops in the province; if some bishops cannot be present, their votes should be sent in writing.[30] Charles Hefele noted that this canon was probably issued in response to the case of Meletius, who nominated bishops without the participation of other bishops and without the approval of the Metropolitan of Alexandria.[31] More regulations concerning the participation of the provincial bishops in the election of a new bishop were defined by the Sardica council.[32]

In the process of electing a bishop, candidates of good learning or status could not be made bishops any longer without passing through the ranks.[33] In the same vein, the election of clergy (bishop, presbyter or deacon) made by princes was to be null.[34]

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28. See canon 23 of Antioch.

29. St. Augustine of Hippo confessed in his Epistle 213 that he had been chosen by his predecessor to be bishop of Hippo, both being ignorant that the canons prohibited such a thing. When St. Augustine himself reached an advanced age, the people wanted him to choose a successor, but he refused, saying, "What was worthy of blame in my own case, shall not be a blot likewise on my son." See NPNF 2.14:120.

30. Theodore Balsamon in his commentary to this canon noted that the right of the laity to vote in the nomination of bishops was taken away by the provincial synod and the metropolitan. See NPNF 2.24:12.

31. See NPNF 2.14:12.

32. See canons 5 and 6 of Sardica.

33. People such as lawyers, teachers, and ex-officials should advance through the appropriate ranks in order to prove their faith and their commitment. See canon 10 of Sardica.

34. See canon 3 of the Seventh Ecumenical Council; this canon is a renewal of canon 29 of the Holy Apostles and canon 4 of the First Ecumenical Council.

More canonical prescriptions related to the naming, appointing and election of bishops in the Orthodox Church can be found in this reference book, under the general entry, BISHOP—specifically, section B. Election to the office of a bishop.

6.1.4. Semantic analysis

The casual reader may not see much difference between the three forms of making a bishop: naming, appointing, and electing. From a legal point of view they are quite different, gaining or losing importance in the process of settling of the canonical discipline of the Church. Once that process was completed, electing bishops became the dominant and universal means of recruiting. The other two, naming and appointing, no longer have a place in the usual discourse in the Orthodox Church. However, the two terms are used by the secular media and by the faithful of the Roman Catholic Church, in which the Pope names and appoints bishops for a diocese.[35]

6.1.5. Application

The interpretation of the canons relevant to naming, appointing, or electing a bishop in the Orthodox Church followed a process of canonical interpretation structured on four domains: namely biblical, historical, canonical, and semantic. Thus, the application of the canonical prescriptions to the question at hand was a result of a structured and comprehensive approach.

The short answer to the question whether an Orthodox bishop is named, appointed, or elected is this: in the beginning of the Christian Church, bishops were named, then they were appointed, and with the establishment of the order and discipline of the Church (by the fifth century), they came to be elected.

The Orthodox Church truly anchored in Christ, Scripture, Tradition, the saints, and the sacraments is the rightful heir of the early Christian Church. According to this understanding, the answer to the question is one unchanged for a millennium and a half: a bishop of the Orthodox Church is elected by a synod of bishops, with the input of the laity whom he will serve. The newly elected bishop is sanctified through the sacra-

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35. Here I offer just two examples collected from online sources: "Persico, 61, a native of Monessen, was named Tuesday bishop of the Catholic Diocese of Erie" (Post-Gazette.com, August 1st, 2012) and "On 7 November 2000, Fr Malcolm McMahon OP was appointed ninth Bishop of Nottingham" (Website of the Catholic Diocese of Nottingham, http://www.grasshopper-hosting.co.uk/Diocese/00_Start/index-VNew.html).

ment of ordination, thus assuring the efficacy of the sacraments he will perform and the apostolic succession of the clergy whom he will ordain.

6.2. Can a layperson be denied Holy Communion if he or she arrives after the Gospel reading?

The Divine Liturgy, the main service of the Orthodox Church and that in which Holy Communion is prepared with the prayers of the priests and the faithful and by the invocation of the Holy Spirit, is the most awesome service of the Church. For a casual observer, though, the awesomeness of the service is marred by the disturbance caused by the late arrival of people, sometimes just before the distribution of Holy Communion. In many Orthodox parishes this late arrival is an established fact, and calls for showing respect for the kingdom and even mild admonitions do not produce any fruit.

Many parishioners and sometimes even priests invoke a "canon" of the Church according to which Holy Communion should be denied to those who arrive after the Gospel reading. It is not clear when this oral tradition of the Church, called a canon by many, entered into the mindset of the Orthodox, according to which habitual offenders should be punished and denied Holy Communion. The striking aspect of the problem is that there is no such canon in the Orthodox Canon Law, even though many people and priests (who have studied Canon Law) invoke it; that is why I call this question the most erroneous one.

The confusion comes from two canons that discuss the faithful who leave the church *after* the Gospel reading, prescribing that they be punished with excommunication.[36] See the entry CHURCH ATTENDANCE.

6.2.1. Biblical insights

Attending Jewish services and festivals during the Old Testament period was a duty for the people. The local community developed not only along the lines of common religious heritage (one God and one covenant) but also along socioeconomic lines. One of the harshest punishments for a person during that time was to be banned from the synagogue. Living outside religious life and without social contact with the brethren meant, quite simply, spiritual and physical death for the offender. This may help readers understand that arriving late for services in the synagogues was

36. The canons do not say anything about arriving late at the Divine Liturgy, as tardiness was not a problem at that time.

almost inconceivable. Temple officials did not have to deal with this more modern aspect of human behavior.

In the beginning Christians participated in the common meal offered by the Church (1 Cor. 10:16–17) and prayed together as the Body of Christ (Acts 2:46, 20:7). There were no issues with attendance as people were excited about the Way and about enjoying fellowship with their brethren. The Lord's preaching and the teaching of the apostles, as recounted in the Scriptures, were attended by large crowds of people filled with enthusiasm and ready to join the new faith. However, what we call today services of the Church were established during the period of the early Church (third to sixth centuries), when the gathering of people for the purposes of listening to the Scriptures and breaking bread became formalized. Enthusiasm for the faith and zeal for living a Christian life were the norm, and late arrival at the services was unknown.

6.2.2. Historical considerations

Some historical aspects of attendance to synagogue and church services are mentioned above. Here I deal mostly with the period after that of the early Church, when some transformations in behavior led to canonical prescriptions related to attendance.

Participation in the services was so great and so diverse that the leaders assigned knowledgeable individuals to translate from the language of the service into the particular languages spoken by the people in attendance. In the first Christian community of Jerusalem, Aramaic-speaking and Greek-speaking believers prayed and lived together, and the situation was not without difficulties.[37]

Those Christians who were sick or old were not deprived of Holy Communion because deacons and deaconesses were mandated to carry Holy Communion to hospitals and homes. This practice of carrying Holy Communion to a home, along with the practice of sending Holy Communion (*eulogiae*) from the Easter Service from one patriarchate to another, started to fade because of the dangers of losing or mistreating the elements of Holy Communion.[38]

During the last period of the early Church, when the persecution of Christians ceased and zeal for the faith could no longer be manifested through martyrdom, monasticism increasingly became the favorite avenue for those people who wanted to fully dedicate themselves to God.

37. See Acts 6:1.

38. See canons 14 and 32 of Laodicea.

As a consequence, the practice of frequently receiving Holy Communion among all the faithful started to suffer, and many people felt unworthy to receive Holy Communion on a regular basis, even if they attended the Divine Liturgy regularly. Interestingly, the faithful who felt unworthy arrived (on time) to each Divine Liturgy, but they would leave after the Gospel reading and so avoid receiving Holy Communion. The Church also had to deal with people who repeatedly skipped the Divine Liturgy altogether. Missing without justification three consecutive liturgies became the threshold for penances: excommunication for laypeople and deposition (suspension) for clergymen.

Late arrival to services is a modern phenomenon, and most of the time it is claimed as a response to the length of Orthodox services. In the nineteenth century, the Orthodox Church of the Greek tradition answered this claim by removing from the Divine Liturgy the third antiphon, the Petitions for the Catechumen, and the Petitions for the Dead (the Orthodox Churches of Slavic tradition retained them).[39]

In recent times it seems that a segment of the faithful, influenced by other Christian and non-Christian services, is again demanding a revision and a shortening of the services. However, a greater segment of the faithful, imbued with respect and reverence for Orthodox services, is rejecting this attitude. In the meantime, Canon Law must deal with this situation and offer solutions where the pastoral approach has failed to change people's behavior.

6.2.3. Canonical analysis

In this reference book under the entry CHURCH ATTENDANCE, there are four brief canonical references; the first two are more closely related to the question at hand (even though in an opposite way), and the last two deal with sanctioning those who miss three consecutive Sunday services. All four references gave rise, in a strange way, to an oral, widely accepted though uncanonical understanding that those who are absent at the reading of the Scripture should be denied Holy Communion.[40]

The combination of the first two canonical references (through misunderstanding) and the last two (through sanctioning) led to this false

39. *Typikon of the Great Church of Christ* (Violakis, 1888).

40. The transmission of canonical prescriptions mostly through hearsay from one generation of priests to another brings to the fore two concerning aspects of the canonical knowledge of our times: on the one hand, poor training in Canon Law of the clergymen and laypeople, and on the other hand, a lack of clear and well-organized sources of Canon Law.

understanding. The content of canon 9 of the Holy Apostles is very clear: those who *attend* Church Services all the way up to the Gospel reading (the Liturgy of the Word) but then leave during the second part (Eucharist, or the Liturgy of the Faithful), "should be excommunicated, as causing disorder in the Church."

Canon 2 of Antioch gives more details about this bad behavior: leaving the church after "attentively hearing the Scripture," implies that such people despise the second part of the liturgy, for they are turning their backs and basically denying the unity of liturgy as it was understood by the Orthodox faithful for two millennia. A radical change in behavior (metanoia) through repentance of the guilty ones would lead to sweetness (*economia*) in the penance.

Canon 9 of the Holy Apostles and canon 2 of Antioch condemn not tardiness to services (again, there was no such thing) but the false piety exhibited by some people who considered themselves good Christians in receiving the Word of Christ, though by their behavior they rejected the expectations that come with partaking of the Body and Blood of Christ.

The last two brief canonical prescriptions refer to the excommunication of laypeople who unjustifiably miss three consecutive Sunday services, and to the suspension of clergymen who do the same. Canon 11 of Sardica and canon 80 of the Sixth Ecumenical Council (in Trullo) were an answer to those missing from the Divine Liturgies, not to those who arrived late for the service.

6.2.4. Semantic analysis

The language of the canons in question is quite clear, and there are no misleading issues related to multiple meanings of words or to a temporal change in meaning. One necessary observation involves the profound meaning of the word *Eucharist*, "thankfulness" for the great gift of life and faith given to us by our Lord and Savior, Jesus Christ.

In his commentary on canon 9 of the Holy Apostles, Nikodim Milash underscored that the spiritual community of the faithful is built on common participation in the sacrament (Eucharist).[41] Turning away from and avoiding Holy Communion erodes the spiritual community of the brethren and may lead, as one can see nowadays, to Christian churches without Christ and without sacraments.

41. See Nikodim Milash, *Canons*,, 1.1: 204–206.

6.2.5. Application

A cursory research of canon 9 of the Holy Apostles and canon 2 of Antioch, in their original meaning, may lead the researcher to the conclusion that they were only sparsely applied and with contradictory results. Those so-called contradictory results were in some measure influenced by the Church's views on the worthiness of receiving Holy Communion and on the changes in people's attitudes toward sin and sinfulness.

In the early Church there was the expectation that any time the faithful participated in the Divine Liturgy, they should also receive Holy Communion. This expectation did not materialize, as people could not receive Communion unless they were prepared, and—even more important—the Church could not force individuals to receive Holy Communion if they felt unworthy. Canon Law itself contains numerous restrictions on communing people and also could not constrain unworthy people to receive Holy Communion.[42]

The initial glorious period of building Christian communities and the acceptance of the Christian faith, first in conflict with other religions and then as the official religion of the state, was followed by a period of relaxation. What previously were considered egregious sins now were seen as simple shortcomings in a behavior dictated by the Church. Willingness to receive penances now was replaced by a rejection of the notion of sin and by casting judgment on the Church.[43]

In this complex situation, when the so-called oral tradition gives us a rule, the denial of Holy Communion to those who arrive after the Gospel reading, a rule with no basis in Canon Law but nevertheless propagated by word of mouth from generation to generation, how are we supposed to act to curb tardiness in attendance of the Divine Liturgy? Are those canonical prescriptions mentioned under the entry CHURCH ATTENDANCE useful, at least via interpretation, to promote a change in behavior?

In order to be successful in changing the behavior and at the same time respect the spirit of Canon Law, one ought to attack the problem

42. For restrictions on communing people, see, for example, canon 8 of the Seventh Ecumenical Council; canons 83 and 101 of the Sixth Ecumenical Council; canon 4 of Gangra; canon 2 of Sardica; canon 18 of Carthage; canon 14 of Laodicea; canons 47 and 48 of St. John the Faster; and canon 23 of Nicephorus the Confessor. On unworthy people and Communion, see canon 1 of St. Athanasios the Great; canons 2 and 4 of St. Dionysios of Alexandria; canons 3, 5, 7, and 12 of St. Timothy of Alexandria; and canon 28 of St. John the Faster.

43. This trend is discussed further in section 7 of this introduction.

from two directions. The first one should be a pastoral approach, by repeatedly teaching that one of the most important statements of the Divine Liturgy is the beginning: "Blessed is the kingdom of the Father and the Son and the Holy Spirit."

Do we want to be late to the kingdom when we do not dare to be late to the football games, movies, or the hairdresser? It may also help to instill a feeling of awesomeness before the Word of God and the great gift (Eucharist) given to us.

The second approach should be canonical in nature: the priest or the spiritual father could deny Holy Communion to those who arrive after the Gospel reading not because they are arriving late (there is no such canonical prescription) but because they are "causing disorder in the Church."[44]

For this approach to be effective, transparency and unity of action among the priests is needed.

Finally, the lack of canonical prescriptions related to tardiness in attending the Divine Liturgy in the Orthodox Church is good testimony to the reactive character of Orthodox Canon Law and to the need for careful interpretation and application of the existent canons and rules to new situations for which there are not yet canonical prescriptions.[45]

6.3. Are Orthodox priests allowed to marry?

One of the most outrageous questions addressed to an Orthodox priest by the non-Orthodox (mostly Roman Catholics and Protestants) is revelatory of what one can see as ignorance about the Tradition and the Canon Law of the Christian Church: "Ah, your priests are allowed to marry?"

The typical answer, "An Orthodox priest is never allowed to marry, but he can be recruited from the ranks of married people, and so he may retain his married status," is an answer that puzzles the non-Orthodox even more. Furthermore, reputable publications in this country are spreading this misconception far and wide, discussing the marriage of Orthodox priests.[46] In fact, a priest in the Orthodox Church may not

44. This is the last part of canon 9 of the Holy Apostles.

45. As the reader saw from the interpretation, late arrival at the Divine Liturgy was unknown in the early Church and all the way to modern times; consequently, there was no reason for the ecumenical or regional councils or for the Fathers of the Church to issue canons for correction of a nonexistent sin or attitude.

46. For example, *The Washington Post Journal* published an article by Bill Broadway, staff writer, that stated in the title that "Greek Church, unlike Catholic, allows clergy-

marry, and if he does so, he will be defrocked.[47] The reader may realize now why I have labeled this question the most outrageous one.

Canon 17 of the Holy Apostles is the clearest and briefest statement about the conditions necessary for ordination to the priesthood: "He who has been married twice after baptism or who has had a concubine, cannot become a bishop, presbyter, deacon, or any other on the sacerdotal list."

Leaving aside for now the expectation of living a virtuous life (by not having a concubine), the rule of marrying only once after baptism covers all possible situations: the great majority of candidates to the priesthood were baptized in infancy and usually marry before ordination; celibate candidates, as well as monks, marry Christ by virtue of their vows, so their ordination likewise comes after one marriage; finally, widowed and divorced priests may not remarry, as that marriage would be their second after baptism.

In this reference book there are many canonical prescriptions listed under MARRIAGE, OF A CLERGYMAN and MARRIAGE, OF A MONASTIC; the reader is encouraged to read the brief statements under each entry because many other impediments, restrictions, and qualifications for ordination are listed there.

6.3.1. Biblical analysis

Priesthood in the Old and New Testaments is viewed as an exalted state of separation from the other faithful through service to God.[48] During Old Testament times the priest was seen as holy to God; in the New Testament, he is in the image of Christ, a living testimony of the constant and continuing presence of Christ in the life of the Church.

Although Jesus Christ is the firstborn and the only archpriest according to the Father's nature, the gift of priesthood and the charism associated with it were passed to many generations of priests through apostolic succession.[49] Communion with God is doubled by communion with the faithful, as an Orthodox priest is a regular parishioner, a member of the Body, set aside for service to God. In this context, ordination to the priesthood is simply a marriage with the community, marriage confirmed by both canonical prescriptions and liturgical expressions. A priest cannot be ordained at large; his ordination has to be for a vacant parish; thus, his ministry is intimately connected with a community as an ecclesiastical body.[50] The same is true for bishops. Marriage to the Body of Christ is a unique event, and ordinations cannot be repeated.[51] Moreover, restrictions have been placed on the transfer of priests from one parish to another and on that of bishops from one diocese to another.

The priestly marriage to the community is expressed liturgically in ordinations performed during the Divine Liturgy, where the *ecclesia*—the gathering of people for a divine purpose—is expressed par excellence. It is not by accident that the three hymns chanted during the sacrament of marriage are also chanted (though in a different order) during the sacrament of ordination.

Biblical and theological precepts, such as those elucidated above, impress upon candidates to ordination the understanding that priesthood in the Orthodox Church is a sacramental marriage, the last and highest sacrament in their lives. This aspect was not missed by the Fathers of the Church, who viewed remarriage after the death of the wife or after divorce as simply fornication, believing that those who commit such a sin will not see the kingdom of God (1 Cor. 6:9–10; Gal. 5:19–21; Eph. 5:3–5).

6.3.2. Historical analysis

In Old Testament times the priesthood was exalted beyond measure; thus, the selection of priests was made from among men of good lineage, who were knowledgeable, virtuous, and of unmixed race. Their marital status was a concern to the community, and the men submitted to expectations that today might be seen as harsh.[52]

men to marry, but celibacy has its rewards."

The article discusses the marriage of Fr. James Paris, even though the article eventually mentions that Paris chose to marry before his ordination. See *Washington Post Journal*, Saturday, April 27, 2002, B9.

47. See canon 1 of Neocaesarea.

48. The clergyman is supposed to be above reproach, a husband of one wife who gives himself fully to God (1 Tim. 3:2, 12; Titus 1:6)

49. According to St. Ignatios of Antioch, To the Smyrnaeans 9: "*Christon Iesoun, ton prototokon kai monon te physei tou Patros archierea.*"

50. For example, canon 6 of the Fourth Ecumenical Council states the following: "Neither presbyter, deacon, nor any of the ecclesiastical order shall be ordained at large, . . . And if any have been ordained without a charge, the holy Synod decrees, to the reproach of the ordainer, that such ordination shall be inoperative, and that such shall nowhere be suffered to officiate."

51. See canon 68 of the Holy Apostles.

52. Not only were candidates to the priesthood required to prove their pure Jewish roots, but even their wives were required to show seven generations of unmixed race. Among the most precious articles of the temple treasury were the genealogical records of the people; some of those who gained power but had a questionable past (such as Judas the Maccabean and Herod the Great) attempted to burn the genealogical lists.

After New Testament times, the influence of monasticism and the exaltation of ascetic life raised the status of celibacy above marital status. Some people saw "the image of God" in the person of the priest and therefore advocated celibacy for priests. Others did not deny the previous position but took into account that priests are heirs of the Holy Apostles in their ministerial duties, believing that marital status should be left to the discretion of the candidate.

St. Paul, himself celibate, accepted and promoted married life for those who might not possess the grace of celibacy. Without debating the merits of the two states, I note simply that the two divergent trains of thought eventually led to different conceptions about marital status in the priesthood. In the East, marital status was determined by a candidate's choice, while in the West, the Church imposed celibacy for the priests.

In the early Church, one marriage was the norm for both priests and bishops, while celibacy was the exception. However, a prohibition of marriage after ordination was imposed, along with that forbidding a second marriage after baptism.[53] Other imposed restrictions were related to moral imperatives: no living with a concubine and no marrying a widow, a harlot, a slave, or an actress.[54] With these restrictions, marriage before ordination and its continuance after ordination was clearly stated in the *Apostolic Constitutions* and in the canons.[55]

The bishops, as heads of large ecclesiastical territories—namely, dioceses—and administrators of large Church properties, attracted the attention of both the Church and the people when issues arose involving corruption, nepotism, and the inheritance of Church property by bishops' children. Consequently, the Church was forced to act. After the Sixth Ecumenical Council (in Trullo, 692) the bishops were required to be celibate, either having separated from their wives if they were married, or having been recruited from among monks (who had taken vows of poverty, obedience, and chastity); so the celibacy of the bishopric was

53. Exceptions are deacons who have announced their intention to marry (canon 10 of Ancyra), as well as subdeacons, readers, and other minor clergy.

54. See canon 18 of the Holy Apostles.

55. See the *Apostolic Constitutions*, 6.17; in Alexander Roberts and James Donaldson, eds., *Ante-Nicene Fathers*, vol. 7 (Peabody, MA: Hendrickson, 1995), 391–505. See canon 17 of the Holy Apostles and canon 1 of Neocaesarea for the interdiction to marry after ordination, and canon 5 of the Holy Apostles for the interdiction against married clergy putting away their wives on the pretense of piety.

assured.[56] In the East, the status of the priest remained the same, while in the West, legal rigorism was imposed on both bishops and priests.[57]

These two divergent positions gave rise to long and arduous debates about the marital status of the priesthood. The Christian Church of the East (eventually called the Greek Orthodox Church) continued the position of the early Church, allowing candidates to the priesthood to choose their marital status, while the Church of the West (eventually called the Roman Catholic Church) adopted mandatory celibacy for its priests.

6.3.3. Canonical analysis

Biblical exhortations and canonical prescriptions, make clear that priesthood and marriage were important for the Church and for the faithful. Marriage to one wife, moral uprightness, and righteous behavior were prerequisites to a ministry that was efficient and above reproach. Canonical legislation in the early Church offered a solution to the tensions between the high expectations for the priests and their marital status. From the earliest times (canon 17 of the Holy Apostles) all the way to the seventh century (canon 13 of the Sixth Ecumenical Council), the choice of the candidates to the priesthood to marry or to remain celibate was upheld. Marriage after ordination was strictly forbidden and harshly punished.[58] Additional canons assured that candidates for the priesthood would be recruited from among the most worthy Christians and that a candidate's wife also would be above reproach.[59]

Other expectations related to marriage of the candidates to the priesthood are spread among the many brief statements under the entry MARRIAGE, OF A CLERGYMAN and in other entries dedicated to marriage.

Recently, growing numbers of widowed and divorced Orthodox priests brought to the fore the debate about the possibility of their remarriage. The last official, though nonecumenical, debate took place in the aftermath of World War I (May 10–June 8, 1923) and concluded that the

56. See canon 12 of the Sixth Ecumenical Council. Furthermore, through canon 48 of the same Ecumenical Council, the mutually agreed separation of the wife from her newly ordained and consecrated bishop should be followed by the wife's entrance into a monastery situated at some distance from the bishop's see.

57. See canon 13 of the Sixth Ecumenical Council.

58. Canon 1 of Neocaesarea punishes marriage after ordination with defrocking. The same is prescribed by canon 6 of the Sixth Ecumenical Council, which adds that a marriage before ordination is a lawful marriage.

59. See canon 18 of the Holy Apostles.

ruling synods and the bishops of the few national Churches participating in that Pan-Orthodox Conference could decide on a case-by-case basis. Since a unanimous decision was not reached and no ecumenical decision was taken, this recommendation of the Pan-Orthodox Conference remains unimplemented and only a matter of study for theologians.

6.3.4. Semantic analysis

There are no semantic issues in the definition of marriage, either as a sacrament of the Church for laypeople or in the metaphorical sense of the marriage of priests to their communities. The confusion relates to the status of the candidate to the priesthood (married or unmarried) rather than to the acceptability of the marriage of ordained priests, who are thus married to the Church.

6.3.5. Application

The Orthodox Church did not waiver and did not change its views on the marital status of its priests. These views are anchored in scriptural teachings and canonical prescriptions. Nevertheless, its views are ignored and sometimes judged as easy dispensation from the biblical mandate or put in the same category with the views of the nonsacramental churches.

A lack of basic information concerning the history of the Christian Church in the first millennium (mostly among Protestant and nondenominational churches), along with a partisan view on the marital status of clergymen (which in the seventh century changed from married to forced celibacy in the Roman Catholic Church), led to this simplistic and at the same time arrogant attitude whereby Orthodox priests are viewed as having betrayed the biblical and canonical principles of the one, holy, catholic, and apostolic Church.

The clear and definitive answer to the most outrageous question—Are Orthodox priests allowed to marry?—is still the one given by Orthodox Canon Law: no, Orthodox priests are not allowed to marry, but if they are already married before ordination, they may remain so.

6.4. Is a clergyman or a layperson allowed to lend money with interest?

Some people may answer this question with a clear and unequivocal yes. Other people more knowledgeable about the theology and history of the Church may give a more qualified answer, "Yes, but they should not expect a huge gain from it."

The Bible and Canon Law may answer in a more nuanced way. If the reader turns to the entry USURY in this reference book, he or she will be redirected to a newer term: INTEREST, but the canonical prescriptions mentioned under that entry seem much harsher than common belief; the canons call for excommunication of those who lend with interest, disqualification from ordination, and suspension of a clergyman who does not cease to practice usury.

6.4.1. Biblical analysis

Usury is one of the oldest concepts in use by humankind. During the Second Temple period, the authorities defined words related to the gain obtained by lending—"usury" (*nesbech*) and "increase" (*tarbith* or *marbith*)—as follows: "If a person lends to another a shekel worth four denarii, and gets in turn five denarii, or if he lends him two sacks of wheat, and receives back three, this is usury."[60]

The law regarding usury is one of the least understood laws; many people assume that the law bans only exorbitant interest, while the biblical prescriptions are very clear that no interest at all should be charged. "If your brother becomes poor and weak in strength among you, then you shall help him, like a resident alien or a sojourner, that he may live with you. Take no usury or interest [increase] from him; but fear your God—I am the Lord—that your brother may live with you" (Lev. 25:35–36). In the same way, "You shall not charge interest to your brother—interest on money or food or anything that you lend out" (Deut. 23:20). Furthermore, condemnation of usury is found in Proverbs 28:8, Jeremiah 15:10, and Nehemiah 5:1–3.

Jesus referred to a loan without interest in passing in Luke 6:34, 35, and it seems that some approval for commercial loans is apparent in Luke 19:23 and Matthew 25:27. If the interest on a commercial loan was not seen as evil, it is because in biblical times all those loans were under the restriction of Sabbath law (they were forgiven in the seventh year, the jubilee year).

6.4.2. Historical analysis

The temple's and the Church's views on usury were different from those espoused by the secular world. Usury was fully acceptable under the legislation of the Roman Empire and that of the classical Greek period, though it was seen as evil by Aristotle and his disciples. The early church followed the temple and condemned usury. Those last teachings had a strong influence on Orthodox canonical prescriptions.

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60. Quoted from Rousas John Rushdoony, *The Institutions of the Biblical Law* (Nutley, NJ: The Craig Press, 1978), 248.

The Israelites, whose teachings condemned usury among brothers, eventually defined as "brothers" only those people living under the covenant. This approach excluded the foreigners and sojourners living among them.[61] Through this interpretation, a breach came about, and loans made to foreigners became acceptable.

The moral imperative that one should not take advantage of people in distress was maintained by the Jews, and one could not charge interest on such a loan. However, loans made for international commerce escaped this moral imperative, as they had a different purpose. This helps explain the massive Jewish presence on the European lending market during the Middle Ages.

Total condemnation of usury by the Christian Church of the first millennium had serious moral consequences for some categories of people. Moneylenders and bankers as a class were seen as people involved in an evil conspiracy against humankind. This view was eventually adopted by people and international institutions that promote the redistribution of wealth.

During the Middle Ages, laypeople as well as theologians tried to avoid the ban on usury by interpreting the word *brother* as referring to a blood relation, not as a believer or fellow Israelite or fellow Christian. John Calvin tried to separate lending to the poor, when there is no hope of gain, from lending to the rich, from which one can receive some compensation.[62] As he worried that the poor were being deprived of help, he almost accepted usury in the name of some equity toward the poor.

In modern times secular society sees no problem with charging (sometimes outrageous) interest. Christian society gradually accepted the secular understanding, and today most people do not have any qualms about charging or receiving interest. Moreover, most clergymen, individually or collectively, receive interest from their investments or through retirement funds administered by Greek Orthodox Archdiocese.[63]

61. "You may charge interest to a foreigner, but to your countryman you shall not charge interest, so the Lord your God may bless you in all that you undertake in the land which you are about to enter to possess" (Deut. 23:20).

62. John Calvin, *Commentary on the Four Last Books of Moses* (Grand Rapids, MI: Eerdmans, 1949), 3:126f.

63. The Greek Orthodox Archdiocese of America established a retirement fund (administered by the New York Life) and an Archdiocese Benefits Committee which coordinates some subcommittees, one being 'Investment Committee' (See, www.benefits.goarch.org).

6.4.3. Canonical analysis

If the reader checks the entry INTEREST (USURY) in this volume, he or she will find three brief entries. The first and most general one bans the clergyman from charging interest from those to whom he lends money. This is the general thread, from the oldest canons (canon 44 of the Holy Apostles) to canons of the seventh century (canon 10 of the Sixth Ecumenical Council), from Ecumenical Councils (first through sixth) to regional councils (Laodicea and Carthage).

The biblical understanding of helping one's brothers survive financial difficulty is stressed in the interpretation of canon 44 of the Holy Apostles in *The Rudder*, underscoring the higher expectations applied to clergymen.[64] If it is forbidden for lay Christians to charge interest, much more is expected of clergymen. The penance is extended also to monks, for whom excommunication and exclusion from community is envisaged if they do not cease to charge interest. The concord to canon 44 of the Holy Apostles makes reference to Old Testament quotations that ban the charging of interest, as well as to quotations from the Fathers (Basil the Great, John Chrysostom) and other canons and writings.

If canon 17 of the First Ecumenical Council deals with greed of any kind, canon 10 of the Sixth Ecumenical Council is more precise and follows directly canon 44 of the Holy Apostles, while canon 10 of Laodicea bans even the "half-of-the-whole" (half of one percent) interest. Canon 5 of Carthage is the strictest, ruling that clergymen not receive "interest from anything in any matter whatever," "for by the same token what is reprehensible among laymen ought much more to be condemned among Clergymen."[65] Canon 16 of Carthage stresses that the "cleric who lends or gives any money for the use of others, he shall receive the amount thereof in kind."[66]

Canon 14 of St. Basil the Great disqualifies a person from ordination to priesthood if he charges interest; however, if he "consents to distribute the ill-gotten gain to the poor and to rid himself of the disease of avarice [here called 'love of money'], he is admissible to Holy Orders."[67] Finally, canon 32 of Nicephorus the Confessor asks for the excommunication of

64. See *Rudder*, 65.

65. See *Rudder*, 607.

66. Canon 16 of Carthage is numbered canon 16 in Floca, 274–275. The same text is spread across three canons in *Rudder* (canons 18, 19, 20). See *Rudder*, 615–616.

67. See *Rudder*, 802.

those who charge interest; community members are even to abstain from eating with them if they persist in their sin.[68]

6.4.4. Semantic analysis

One must distinguish between stewardship, investment, and charity. Christian stewardship is paramount to the Christian social order, as the Bible declares that God is the sovereign owner of all his creation. As God delegated to humankind dominion over the earth, humanity has the duty to preserve and protect the earth. The parable of the talents shows God's hostility toward those who violate his right of ownership. The faithful steward is the one who expands the value of goods entrusted to him (Matt. 25:14ff).

Investment is supposed to make an economic return, or profit. In the Christian understanding, a business has to make a profit in order to succeed, as some of the parables indicate. However, making a profit should not be devoid of mercy. Destroying property by indiscriminately giving is not a biblical principle either, even though many people believe so.

Charity, the transfer of resources from one person to another, has to be done with no expectation of return (Matt. 10:8; Luke 6:35). Charities should be carefully administered even if they are not profit making, because God is opposed not only to ruthless behavior in business but also to wasteful behavior in charity.

6.4.5. Application

In applying canonical prescriptions to particular situations, one should review comprehensively not only the canonical prescriptions but also the societal norms whereby faith is implemented. The canons related to usury are not dogmatic in character, and consequently, they are open both to interpretation and to the application of *economia* or *akriveia*.

Canon 14 of St. Basil the Great already alludes to the application of *economia*, stating that if the person distributes the ill-gotten gain to the poor and eradicates this avarice, he can become a candidate to the priesthood.

Canonical prescriptions related to charging interest rightfully make a distinction between the behavior of a clergymen (held to a higher standard) and that of a layperson (held to a lower standard), imposing a penance of deposition on the former and excommunication on the latter. Most instances that demand the exigencies of Canon Law are those of unscrupulous lenders who take advantage of their brethren. Those instances are usually dealt with between spiritual fathers and their spiritual children (if they confess their sinful behavior). If a penance is imposed, it will be excommunication for a period, and surely *economia* or *akriveia* would apply.

68. Canon 32 of Nicephorus the Confessor appears as canon 31 in *Rudder*, 968.

A more serious situation may be one in which a candidate to the priesthood acts in an onerous and avaricious way. The local bishop may refuse to give him a recommendation for studies or may choose not to ordain him. If the bishop is not aware of the situation, the ordination can be derailed by the faithful, who may cry "*Anaxios!*" rather than "*Axios!*" at the service of ordination.

The most serious situation is that of a clergyman who not only practices usury but also refuses to desist: in this case the synod of bishops may act and may depose the clergyman, though I am not aware of any deposition that has taken place for this reason.

There is a thin line between charging interest and investment, between multiplying "talents" as in the parable and obtaining "ill-gotten gain" as in St. Basil's canon 14. The position of the interpreter may be on one side or the other, according to his or her moral principles rather than the philosophy of Orthodox Canon Law.

The fundamental question arises again: Are the canons still relevant for present times? The issue was clarified by Nicholas N. Afanasiev, so there is no need for more commentary here.[69] The issue of charging interest and its implications may be a hurdle for purists who claim the literal application of canons, as we can hardly see them returning the ill-gained interest from some of their investments.

7. Contemporary challenges in the application of the canons

Orthodox people enjoy the great inheritance of the early Church and of the apostolic succession. Tradition and Orthodox Canon Law give them magisterial guiding tools for living a righteous life. This understanding does not come without some tensions, which are related both to the tools themselves and to personal behavior.

Orthodox Canon Law is the result of the insight of generations of bishops and theologians who collected the wisdom of the Scriptures and of the Fathers into canons and rules that were preserved and passed on

69. Nicholas N. Afanasiev, "The Canons of the Church: Changeable or Unchangeable," *St. Vladimir's Seminary Quarterly* 2 (1967): 54–58

unchanged to succeeding generations.[70] Respect for this work was so great that nothing was omitted, even though some canons contradicted others, and the corpus was never streamlined or organized into a formal code of ecclesiastical laws (as in the Roman Catholic Church).

The application of Canon Law to particular situations of daily life became a paramount task of the bishops, priests, and spiritual fathers. Using the gift of discernment, they brought grace to the afflicted and healing to the wounded.

The great difficulty in navigating the extensive canonical collections and in finding the relevant canons dealing with a specific situation led to a nonexhaustive approach and to a simplistic interpretation, if there is one, or to a straightforward and harsh judgment. This type of simplistic judgment leads to extreme and fundamentalist positions that are foreign to the Orthodox ethos.[71]

The same difficulty of finding all, or at least the majority of canons, dealing with a specific matter and subjectively selecting the one to which the seeker is more spiritually attached tends to divide the faithful into two categories: those who believe in the literal interpretation of the canons and those who believe that they are not sufficiently relevant for today's conditions.

Sadly, sometimes the canons are used as tools to oppose those of a different opinion in ecclesiastical matters. That misuse of the canons led one noted theologian, venting his frustrations, to discourage some people from opening the *Pedalion*.[72] On the other side of the equation, tensions related to the personal behavior of sinners range from total rejection of the concept of sin to partial acceptance of wrongdoing through a

70. The most famous is *The Rudder* (*Pedalion*), by Nicodemus and Agapius, assembled in the eighteenth century and translated into English in the early part of the twentieth. Canons are presented by council and date of issuance, rather by subject; canons of the Fathers are grouped at the end of a massive volume that is quite difficult to navigate unless the reader has received canonical training.

71. "Thus the individualistic character of Zealotry-Fundamentalism and the accompanying idolization of formalism—of 'dogmas' and 'canons' rendered independent of ecclesial experience—assimilate the 'Orthodoxy' of conservative Christians to every other ideological 'orthodoxy.'" Excerpt from the commencement address given at Holy Cross Greek Orthodox School of Theology and Hellenic College, May 2011, by Dr. Christos Yannaras (www.hchc.edu/old/holycross/about/news/1802/1665).

72. "It is invariably the case (in my opinion) that self-appointed lawyers should be energetically encouraged not to open the *Pedalion*." John Anthony McGuckin, *The Orthodox Church* (Malden, MA, Wiley-Blackwell Press, 2011), 115.

personal and subjective perspective, and from outrage at measuring the penance for the sin to denial of sinful behavior.[73]

8. Conclusion

A most desired and needed codification of Orthodox Canon Law has not materialized thus far. Owing to inherent difficulties, it seems that this most noble mission may take a long time to bear fruit. In the meantime, this reference book, though not a code or a manual of Orthodox Canon Law, may help readers find relevant canons for a particular subject by its alphabetical organization, may help readers take a more balanced view toward sins, canons, and penances through an almost exhaustive presentation of the canons, may call to attention the gravity of some sins through listing the penances associated with them, and may highlight some types of behavior that today are no longer considered sinful by the majority of Christians.

Besides introducing the reader to the particularities and the difficulties of Orthodox Canon Law, this introduction underscores the great importance of interpretation of the canons, and through examples it offers a framework for interpretation. That framework is simply a reflection of the author's experience as a perpetual student of Canon Law. It need not be followed exactly; indeed, any other scheme that pays attention to the various dimensions and particularities of Canon Law could offer equally good solutions.

Keeping steadfast in the Orthodox faith and its canons and dogmas is the path to accomplishing this perennial dream. Simply put, we have to understand that we should adapt life to the faith, rather than adapting the faith to life.

In the long and convoluted process of compiling this volume, many people—clergy and laity, family and friends—have suggested, read, corrected, nudged, and edited parts of this work. I am deeply indebted to all of them, and as they are too many to be mentioned here, in my intercessory prayers I continually ask God to shower them with his bounty.

73. "Christ already paid for our sins" is the most common justification in rejecting the idea of sin, justification that shows the strong Protestant influence on the Orthodox. "Father, I did not kill anybody" is a typical comment reflecting a subjective understanding of sin. "What did I do to deserve this?" is the most common reaction I have had to face as a spiritual father assigning penances. Finally, the matter discussed in section 6.4 of this introduction, charging interest, is a good example of oblivion about sin.

Abbreviations and Canonical Sources

General abbreviations

c.	canon
ca.	circa
cf.	conform
d.	died
e.g.	*exempli gratia*, for example
fl.	*floruit*, flourished
i.e.	*id est*, that is

Source notation[1]

AC	*Apostolic Constitutions*, followed by book and paragraph numbers
Ap	Canons of the Holy Apostles, 85 canons
EL	*Pravila bisericeasca* (Ecclesiastical law), followed by entry number
Floca	*Orthodox Canon Law*, followed by page number
Hefele	*Histoire des conciles*
Milash	*Canons*, followed by volume, part, and page numbers
NPNF 2	Nicene and Post-Nicene Fathers, series 2, followed by volume and page numbers

1. For complete publication information for these sources, please refer to the bibliography.

Rudder	St. Nikodemos and St. Agapius, *Pedalion* [Rudder], followed by page number
Syntagma	*Syntagma theion kai ieron kanonon*, followed by volume and page numbers
Trebnik	*Holy Mysteries*, followed by page number

Ecumenical Councils (Dates)

I	First Ecumenical Council, Nicaea (325), 20 canons
II	Second Ecumenical Council, Constantinople (381), 7 canons
III	Third Ecumenical Council, Ephesos (431), 8 canons
IV	Fourth Ecumenical Council, Chalcedon (451), 30 canons
V	Fifth Ecumenical Council, Constantinople (553), no canons
VI	Sixth Ecumenical Council [Council in Trullo, Penthekte], Constantinople (681–692), 102 canons
VII	Seventh Ecumenical Council, Nicaea (787), 22 canons

Local councils (Dates)

Carthage (256), 1 canon, approved by c. 2 VI and c. 1 VII

Ancyra (314), 25 canons, approved by c. 2 VI and c. 1 VII

Neocaesarea (324), 15 canons, approved by c. 2 VII

Gangra (ca. 340), 21 canons, approved by c. 2 VI and c. 1 VII

Antioch (ca. 341), 25 canons, approved by c. 2 VI and c. 1 VII

Laodicea (ca. 343–381), 60 canons, approved by c. 2 VI and c. 1 VII

Sardica (343), 21 canons, approved by c. 2 VI and c. 1 VII

Constantinople (394), 1 canon, approved by c. 2 VI and c. 1 VII

Carthage II (348–419), 133 in Syntagma, Milash; 141 in Rudder; 138 in NPNF 2.14

Constantinople I–II (861), 17 canons

Constantinople (Holy Wisdom; 879/880), 3 canons

Holy Fathers

St. Dionysios of Alexandria, the Great (195–264), 4 canons, approved by c. 2 VI

St. Gregory of Neocaesarea, the Wonder Worker (213–270), 11 canons, approved by c. 2 VI

St. Peter of Alexandria, the Martyr (d. 311), 15 canons, approved by c. 2 VI

St. Athanasios of Alexandria, the Great (295–373), 3 canons, approved by c. 2 VI

St. Basil of Caesarea, the Great (330–379), 92 canons, approved by c. 2 VI and c. 1 VII

St. Timothy of Alexandria (d. 385), 18 canons, approved by c. 2 VI

St. Gregory the Theologian (d. 390), 1 canon (canon of the Bible)

St. Gregory of Nyssa (d. 395), 8 canons, approved by c. 2 VI and c. 1 VII

St. Amphilochios of Seleucus (d. 404), 1 canon

St. Theophilos of Alexandria (d. 412), 14 canons, approved by c. 2 VI and c. 1 VII

St. Cyril of Alexandria (d. 444), 5 canons, approved by c. 2 VI and c. 1 VII

St. Gennadius of Constantinople (d. 471), 1 canon, known also as Letter of, approved by c. 2 VI and c. 1 VII

St. John of Constantinople, the Faster (d. 595), 65 canons, approved by the Patriarchal Synods[2]

St. Tarasius of Constantinople (d. 828), 1 canon, known also as Letter of, approved by the Patriarchal Synods

St. Nicephorus of Constantinople, the Confessor (d. 828), 49 canons, approved by the Patriarchal Synods

St. Nicholas, Patriarch of Constantinople (d. 1111), 11 canons and questions, approved by the Patriarchal Synods

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2. *Rudder* and *Syntagma* (vol. 4) present only 35 canons, followed by list of possible sexual sins; NPNF 2.14 presents none; Milash 49 canons and Floca 65 canons.

St. Theodore of Studium (759-826), 17 canons[3]

St. Symeon of Thessalonika (ca. 1381-1429)

Byzantine commentators

John Zonaras (d. after 1159)

Theodore Balsamon (ca. 1140–after 1195)

Alexios Aristenos (fl. mid-twelfth century)

Matthew Blastares (ca. 1290-1360)

Ioasaph of Ephesos (d. 1437)

3. There are 17 questions/answers, here called canons, written by St. Theodore of Studium to monk Methodios and published in *Sintagma*, vol. 4, p. 431 and in Milash, *Canons*, II, 2, 244–249.

Canonical Index

ABBOT (HEGOUMENOS, STARETS, SUPERIOR): The abbot must take care of his monks; if one runs from the monastery, the abbot should make all effort to bring him back, to help him see his mistake, and with the right teaching to bring him back to the fold; if the abbot neglects that, he should be excommunicated (c. 3 Constantinople I–II).

An abbot who receives someone in monasticism without passing him through novitiate (*rassophoria*, from six months to three years) should lose his rank of abbot and be sent to another monastery for obedience (c. 5 Constantinople I–II).

Monks who leave the monastery without the approval of the abbot are subject to suitable punishments (c. 46 VI).

An abbot who wastes the property of the monastery or sells it to others is to be driven away from the monastery; also, the legal transactions in the transfer of property will be null, and the property will be restored to the monastery (c. 12 VII).

An abbot who is also a priest may ordain in his monastery candidates to minor orders—for example, acolytes, readers, subdeacons, and so forth (c. 14 VII; c. 6 Nicephorus the Confessor).

An abbot who receives someone into monasticism for the sake of money should be deposed (c. 19 VII).

An abbot is appointed by the bishop (c. 80 Carthage; c. 1 Constantinople I–II).

A bishop may not appoint in one of his monasteries an abbot who belongs to another monastery and who does not bring a canonical (dismissory) letter from his competent bishop (c. 80 Carthage).

A bishop has the authority to lift a penance given by the abbot to one of his monks (c. 7 Nicholas of Constantinople).

ABORTION: In the understanding of the Orthodox Church, life starts at conception.

Voluntary abortion is not simply a crime, but manslaughter; some Fathers call it genocide and deicide. They call it genocide because along with the life of the aborted baby, the life of generations to come is severed; they call it deicide because not only is the blood of a baby spilled but also the blood of Christ (Mt. 25:40). Those helping with the abortion are seen as accomplices.

If any clergyman strikes anyone in a fight and kills by a single blow, let him be deposed; but a layperson who does so should be excommunicated (c. 66 Ap). The concord of this canon states, "Among willful murders are those committed by women who give herbs to pregnant women in order to kill the embryos; and likewise those who accept such herbs as is decreed by c. 91 VI and by c. 21 Ancyra and c. 2 and 8 Basil the Great." (Rudder, 115)

Women who commit fornication and destroy that which they have conceived or who prepare drugs for abortion are to be excommunicated until death; nevertheless, in the spirit of *economia*, this canon requires them to fulfill ten years of penance (c. 21 Ancyra).

Women who furnish drugs for the purpose of procuring abortion and those who receive poisons to kill the fetus are subject to penalty for murder (c. 56 Basil the Great; c. 91 VI).[1]

A woman who aborts deliberately is liable to trial as a murderess. For here there is involved the question of providing justice for the infant to be born but also for the woman, who has plotted against herself; those found guilty will be admitted to communion at the end of a moderate period of ten years, adjusting the cure to the manner of penitence (c. 2 Basil the Great).

Women who bring about a miscarriage by giving drugs for this purpose and women who take drugs that induce abortion are also murderers (c. 8 Basil the Great).

1. C. 56 Basil the Great requires exclusion from communion with the Fountain of Sanctity for twenty years: four years spent as a weeper outside the church, begging the faithful to pray for him with repeated confession; five years with the *audientes* (i.e., hearers) in the narthex; seven years with the kneelers in the narthex; four years with the faithful in the nave, but without Holy Communion—and finally he shall partake of the holy elements (*Rudder*, 827).

As for the woman who conceives and brings forth on the way (i.e., while traveling) and fails to take measures therefor, let her be liable to the penalty provided for a murderer (c. 33 Basil the Great).

Basil the Great, in canons 2 and 8, says that a woman who has provoked an abortion should be excluded from communion for ten years; John the Faster determined that she should be given an *epitimia* of a maximum of five years, or even a penance of three years (c. 33 John the Faster).

Women who involuntarily expel a baby through miscarriage receive penance for a year (c. 34 John the Faster).

A woman who accidentally sleeps on her baby and chokes it should be penanced with three years; but if the baby died because of laziness or inattention, the parents should be penanced as for voluntary murder (c. 35 John the Faster).

Women who do not take care of an unborn baby and because of their negligence cause an abortion should be penanced as murderers (c. 36 John the Faster).

ABROGATION (ANNULMENT/TERMINATION): Abrogation is the legal act by which an entire or partial law or decree is ended (terminated or overturned). Laws are abrogated through the express declaration of a subsequent law when there is an incompatibility between the dispositions of the new and the precedent law, or when the new law rules differently on the matter ruled by the previous law. Usually a legislative body of equal or superior authority can abrogate previous laws or decrees. The following are examples of abrogation.

If a deacon is unmarried and at his ordination declares that he intends to get married, he will be allowed to marry even after his ordination; if he fails to announce to the bishop his intention, he would be deposed if he later married (c. 10 Ancyra). This canon was abrogated by c. 6 VI, which banned marriage after ordination and reestablished the old practice mentioned in c. 26 Ap (among those who entered the clergy unmarried, only the readers and the singers were allowed to marry).

The Divine Liturgy should be performed only by those who have fasted (c. 29 VI; c. 41, 47 Carthage). On Holy Thursday the Divine Liturgy may be performed by those who ate breakfast on that day as the commemoration is made in the afternoon (c. 41 Carthage); however, c. 29 VI abrogated this disposition.

ABSOLUTION/PRAYER OF FORGIVENESS: After making the confession of sins in the sacrament of confession, penitents are placed under a rule—that is, they receive penances—and then a prayer of absolution, or forgiveness, is read over them. In the Roman Catholic Church, the phrase *prayer of forgiveness* came to be used along with the prayer of absolution. For penances, see also EPITIMIA.

If penitents in danger of death repent, they should receive absolution and be allowed to partake of Holy Communion. The right of granting absolution belongs to the bishop. The presbyter may offer absolution only in the absence of the bishop (c. 7 Carthage). See also PARDON; RECONCILIATION.

ABSTINENCE: A clergyman who puts away (i.e., divorces) his wife under pretext of piety should be excommunicated; if he persists, he should be deposed from office (c. 5 Ap).

If any bishop, presbyter, deacon, or anyone of the sacerdotal list abstains from marriage or flesh (i.e., meat) or wine not because of piety but because he abhors them, forgetting that God made all things very good and that he made humankind male and female and blaspheming the work of creation, let him be corrected or else deposed and cast out of the Church. The same applies to a layperson (c. 51 Ap).

A clergyman who abstains from participating in a wedding or from consumption of meat and wine not because of piety but rather because of abhorrence toward meat and wine should mend his ways or he be deposed from office and expelled from the Church. The same applies to a layperson (c. 53 Ap).

If a clergyman abstains from meat, he should taste it once, and afterward he may abstain; but if he disdains it and will not even eat vegetables cooked with meat, he should be deposed (c. 14 Ancyra).

A clergyman who fasts strictly on Saturdays or Sundays (with exception of the Holy Saturday) should be deposed from office; a layperson should be excommunicated (c. 66 Ap).

If any of the clergy is found fasting on the Lord's day or on the Sabbath, excepting Saturday of Holy Week, let him be deposed; a layperson who does so should be excommunicated (c. 66 Ap).

ABUSE (OF POWER): Higher ranking clergy should not abuse their subordinate clergy (c. 4 VII).

ACCIDENTS: Canon Law addresses possible accidents during the oblation (*proskomide*), the Divine Liturgy, and Holy Communion, or the Eucharist. See COMMUNION/EUCHARIST (ACCIDENTS DURING); LAMB (LOST OR DAMAGED); LITURGY (ACCIDENTS DURING); OBLATION/*PROSKOMIDE* (ACCIDENTS DURING).

ACCOUNTS: A bishop has the authority to manage the funds of the church in order to help those in need and to cover his expenses and those of his clergymen; however, if he mishandles the accounts to enrich himself or some of his relatives, he should be judged by the provincial synod (c. 25 Antioch).

ACCUSATION: See CHARGE.

ACCUSERS: Accusers are those who bring charges, or accusations, against clergymen.

If someone makes an accusation of fornication to the address of a clergyman, an investigation must be conducted even when no credible witnesses have appeared, and if he is guilty on the basis of worthy witnesses, he should be cut off from the Church; otherwise, he is worthy to remain in his clerical position (c. 9 Theophilos of Alexandria).

A. Of a metropolitan

Accusers of a metropolitan must lay their charges before the exarch of the archdiocese or before the synod of Constantinople (c. 9, 17 IV).

B. Of a bishop

Accusers of a bishop should be trustworthy persons (c. 74 Ap). They must not themselves be under discipline or even under accusation of offenses (c. 6 II).

Accusers of a bishop must be examined as to their character (c. 21 IV).

Heretics may not be accepted as accusers of a bishop (c. 75 Ap).

Neither heretics nor schismatics may bring accusations of an ecclesiastical nature against a bishop (c. 6 II), but those who complain of a personal wrong done to them by the bishop may be of any religion (c. 6 II).

A single communicant may not be accepted as the accuser of a bishop (c. 75 Ap), especially if he or she brings a charge of sensual sin (c. 2 I).

Accusers of a bishop are to bring their complaint before the provincial synod (c. 6 II; c. 9 IV), especially if the charge is the mishandling of the church's accounts (c. 25 Antioch); if they resort to the secular courts or directly to the synod of the Patriarchate, they are not to be received as accusers (c. 6 II).

Those raising false accusations toward the bishop are to suffer the same penalty to which he would have been liable had the charge been proved (c. 6 II).

C. Of a priest

A priest is not to be convicted of any sexual sin on the evidence of a single witness (c. 2 I).

Those who are themselves under accusation may not be accepted as accusers of a priest (c. 6 II).

Accusers of a priest should be examined concerning their character (c. 21 IV).

D. Of a deacon or minor clergy

Those who are themselves under accusation should not be received as accusers of a clergyman of any rank (c. 6 II).

Accusers of any clergyman are to be examined as to their character (c. 21 IV). See also CHARGE.

ACTRESS: Marriage with an actress is a disqualification for ordination (c. 18 Ap). See footnote for DEACON, A. Disqualifications for the office of a deacon.

ADMINISTRATION OF CHURCH PROPERTY: The administration of church property is the charge of the bishop, who is assisted by an *economos* (c. 26 IV; c. 11 VII).

A bishop who does not wisely administer the property of the church should be judged by the synod (c. 25 Antioch). See also PROPERTY (GOODS) OF THE CHURCH.

ADMONITION: Bishops who do not attend the twice-yearly meetings of the Canonical Synod, providing that they are in good health and free from unavoidable business, shall receive a brotherly admonition (c. 19 IV; c. 8 VI).

A bishop who neglects to convert the heretics from his eparchy to Orthodoxy should be admonished by the neighboring diligent bishops (c. 121 Carthage).

If a clergyman gains a substantial property as a result of his ministerial position, that clergyman should receive an admonition to give back that property to the church during his lifetime or after death (c. 32 Carthage).

Severe measures (up to deposition) can be taken against a priest who builds a separate congregation and erects another altar without the approval of the bishop; however, that can be done after a first, a second, and a third admonition from the bishop (c. 31 Ap).

ADULTERY: Sexual relationships between a spouse and another person constitute adultery (c. 21 Basil the Great; c. 15 John the Faster). Through adultery someone satisfies his or her sexual appetite, hurting and doing injustice to another person (c. 4 Gregory of Nyssa).

A person who commits adultery may not be promoted to the clergy (c. 61 Ap).

A priest who has committed adultery or fornication should be removed from the clergy (c. 1 Neocaesarea).

If the wife of a clergyman commits adultery, the clergyman is required to divorce her; failing to do so, he ceases to be a clergyman (c. 8 Neocaesarea).

An adulterer and an adulteress should be cut off from Holy Communion for seven years (c. 20 of Ancyra).

Adultery is more serious than fornication (c. 18, 21 Basil the Great; c. 4 Gregory of Nyssa).

"As for women who have committed adultery and have confessed it out of reverence or because they have been more or less conscience-stricken, our Fathers have forbidden us to publish the fact, lest we afford some occasion for the death of the remorseful one" (Rudder 817-818); the Fathers also ordered that such women are to stand without communion until they have completed the term of their penance (c. 34 Basil the Great).

He who, having another man's wife or spouse taken away from him, marries another is guilty of adultery with the first but not with the second; his adultery is penanced with fifteen to eighteen years of excommunication (c. 37 Basil the Great).

She who continues to live with an adulterer is all that time an adulteress (c. 39 Basil the Great).

An adulterer is penanced with fifteen years of excommunication; four years he should be a mourner at the door of the church, five years he should be a hearer, four years a prostrator, and two years a costander (c. 58 Basil the Great).

If the wife of anyone committed adultery or if any man committed adultery, he or she should be restored to communion after seven years have passed in the prescribed degrees[2] (c. 20 Ancyra).

C. 4 Gregory of Nyssa penances the adulterer with eighteen years, c. 58 Basil the Great with fifteen years, and c. 20 Ancyra with seven years. John the Faster prescribed that a adulterer receive Holy Communion after three years if he eats dry food after the ninth hour and does three hundred prostrations daily; if he is negligent in doing so, then the term established by the Fathers should be applied (*economia*; c. 20 John the Faster).

She who goes from her husband to another man is an adulteress. And he who goes from his wife to another woman is an adulterer, according to the word of the Lord; they should receive seven years of penance according to the degrees (c. 87 VI).

He whose wife committed adultery may not enter priesthood (c. 8 Neocaesarea); if she committed adultery after the ordination of the husband, he should divorce her; otherwise, he will be cut off from the priesthood (c. 21 John the Faster).

Professed virgins and monastics, if they fall from their profession, should undergo the penance for adulterers (c. 60 Basil the Great).

He who abuses himself (i.e., engages in intercourse) with other men is to be penanced as an adulterer (c. 62 Basil the Great). The same applies to the one who abuses himself with beasts, if he voluntarily confesses it (c. 63 Basil the Great).

All incestuous conjunction is penanced as adultery (c. 68 Basil the Great).

Adultery is one of the accepted reasons for (ecclesiastical) divorce (c. 9 Basil the Great). See also FORNICATION.

2. According to the prescribed degrees [of penance] is a common expression in the Orthodox Canon Law and points to the split of the length of penance in segments of visible time of repentance. For example, the seven years of penance prescribed by canon 4 of Ancyra are split as following: one year as hearer, three years as prostrator, two years communicating in prayers (costander) and only after that the penitent returns to the full communion.

ADVOCATE: Bishops are forbidden to nominate advocates for the lust of money (c. 2 IV).

The advocate of the church of Constantinople is to expel from the city the clergymen and the monks who go there and create disturbances (c. 23 IV). See also LAWYERS.

AGAPAE: See LOVE FEASTS.

AGAPETAE: See *SUBINTRODUCTA.*

AGE (CANONICAL): The Church did not establish a canonical age for marriage but eventually came to follow the legal restrictions established by the civil authorities. Clergymen who did not respect those civil requirements were punished, and the candidates for marriage were excommunicated. In the United States of America, the age at which persons may marry is set forth in state statutes; the age varies from state to state, and individuals below this age may in most cases marry with their parents' approval. For example, in the state of Georgia the legal age for marriage is eighteen for both men and women, but a woman may marry at sixteen if she has parental consent. Looking to the protection of children who could be driven to marriage because of material interest rather than love, the Church established a minimum age for marriage; in the first millennium, boys could be married at the age of fourteen and girls at the age of twelve; in the twentieth century, the Church followed the civil legislation of the country and raised the minimum age to eighteen or sixteen where civil legislation allowed.

There is no maximum age concerning marriage in civil legislation, but the Church of the first millennium expected people to refrain from marriage at an advanced age, seventy for men and sixty for women (c. 24, 88 Basil the Great; EL 321). As for a difference of age, the Church promoted marriage between people close in age, so as to "give the enemy no occasion to revile us" (1 Tim. 5:14; Nomocanon XIV).

The canonical age for the ordination of presbyters is thirty years (c. 11 Neocaesarea; c. 14 VI).

The canonical age for the ordination of bishops is thirty years and over (c. 14 VI).

The canonical age for the ordination of deacons is twenty-five years (c. 16 Carthage; c. 14 VI).

Subdeacons should be ordained at an age no younger than twenty years (c. 15 VI).

Deaconesses should be ordained after they reached the age of forty (c. 15 IV; c. 14 VI).

The age for taking vows for monasticism (monks and nuns alike) is the age of maturity (c. 18 Basil the Great), though for monks the required age is twenty-five years. In exceptional conditions (such as fear of death, dangers of virginal purity) the age may be lowered to seventeen years (c. 126 Carthage; c. 18 Basil the Great; c. 40 VI).

AGENT: Clergymen and monks are forbidden to act as agents of laypeople—that is, they should not lease or rent property, engage in business, or preoccupy themselves with worldly engagements; the only exception is the guardianship of minors when the law so requires (c. 3 IV.

***AKRIVEIA* ("EXACTNESS"):** The bishops have the right, after considering the character of the penitents' conversion, either to deal with them more leniently (*economia)* or to extend the time of their penance (*akriveia*; c. 5 Ancyra).

We should examine the fruits of repentance and wisely manage the man who is called to higher illumination (i.e priest) by means of sternness and stringency (*akriveia*) or by greater softness and mild medicines (*economia*; c. 102 VI). See also ECONOMIA.

ALIENATION: Bishops are forbidden to alienate church property (c. 38 Ap).

ALMSHOUSES: A clergyman who transfers from one church to another is not allowed to meddle with the affairs of his former church, nor with the martyries, almshouses, and hostels belonging to it (c. 10 IV). See also POORHOUSES.

ALTAR: In the context of Orthodox Canon Law, the term *altar* may refer to the house of God (the place where thanksgivings are raised to God) or to the innermost part of the temple toward the east (the place of sanctification).

An altar may be set up only with the blessing, or approval, of the bishop (c. 31 Ap; c.5 Antioch; c. 10, 11 Carthage).

Altars built on account of dreams and false revelations, as well as altars built in fields and vineyards and lacking relics of the saints, should be demolished (c. 83 Carthage).

Those who serve in the altar should be absolutely continent in relations with their spouses or anyone else when they handle the Holy Mysteries and serve in the altar (c. 13 VI; c. 4, 25, 70 Carthage).

The priesthood alone may communicate in the holy altar (c. 19 Laodicea).

No layperson except the emperor shall go up to the altar (c. 69 VI).

Women may not go in to the altar (c. 44 Laodicea).

Monks and the nuns are allowed to enter the altar to light candles and clean the altar (answer 1 of Nicholas of Constantinople; c. 15 Nicephorus the Confessor). See also BEMA.

AMBO (PULPIT): Only those who have been tonsured as readers are allowed to read from the pulpit (c. 15 Laodicea; c. 33 VI; c. 14 VII).

AMNESTY: See ABSOLUTION, PARDON, RECONCILIATION.

AMULETS: See PHYLACTERIES.

ANATHEMA: Anathema is the most severe ecclesiastical sanction; the guilty person is cut off from the Church and from salvation. Those who despise the dogmatic moral and sacramental truths and lead others to destruction should be anathematized.

Anathema is parallel to the death penalty in secular society, as spiritual death is seen by the Church as analogous to physical death. Anathema is applied only as a last resort, when all other means of correction have failed and after the guilty person has been judged and sanctioned publicly. This sanction or penalty can be imposed even after death and can also be lifted after death.

Anathema can be expressed as a curse, major excommunication, or delivery to Satan. No priest or bishop can pronounce anathema; only the synod can do it.

The process of anathematization for a heretic may include reading Psalm 109 then the following:

In the name of the Father and the Son and the Holy Spirit, of the Holy Trinity, on the power given to the Holy Apostles and through them of all the bishops who received the power to bind and loose, we the members of the Synod of —, after we exhausted all the means for correction, with deep sorrow and grief, we throw anathema on the heretic, *Name*; according to his deeds, we call as witnesses the Theotokos and Ever-Virgin Mary, the Angels, St. John the Forerunner, the Saints, the Holy Apostles and Evangelists, the

Prophets, the Martyrs, the pious and devout Christians who fell asleep from Adam and until today, in an unseen way to unite their voices with ours, asking from the throne of the Holy Trinity justice and vengeance (Rev. 6:10), for the laws and the truths derided by the heretic, *Name*, who as a wolf and wild beast sold to the devil, seeks to destroy the flock of Christ, for whom the Son of God spilled his blood on the Cross (Acts 6:13; 2 Pet. 2:1; Mt.7:15). Let the earth reject the feet which walk on it, let the water cease to wash and nourish him, let the air stay away from his breathing. At every step let him be overwhelmed by the fear of death brought by his sins, above his head let circle the sin of Cain (Gen. 4:8–16) and the scroll of Zachariah (Zach. 5:1–4) in order to take his life away. Let his blood blacken and his guts rot. Let his members, from the feet to head, be seized with palsy so he may not be able to deride and to talk against God (EL 40).

Anathema may be pronounced on the following people:

- laypeople or monks who facilitate a candidate's ordination or installation in a church position through simony; if clergy, they should lose their rank (c. 2 IV; c. 5 VII; Letter of Gennadius, Patriarch of Constantinople[3]; Letter of Tarasius[4], Patriarch of Constantinople)
- clergymen and monks who leave the church or the monastery and enter into military or any other civil dignity (c. 7 IV)
- a deaconess who marries, along with her husband (c. 15 IV)
- those who disregard legitimate marriage (c. 1, 10, 14 Gangra)
- those who despise people who eat meat (c. 2 Gangra)
- those who refuse to receive Holy Communion from a married priest (c. 4 Gangra)
- those who disregard the authority of their bishop (c. 6, 7, 8 Gangra; c. 11 Carthage)
- those who preserve virginity not on account of its beauty but because they abhor marriage (c. 9 Gangra)

3. C. 1 or Letter of Gennadius is published as Encyclical Letter in the NPNF 2.14:615, as Canonical Epistle in *Rudder*: 923-928, and as Encyclical Letter in Milash (Milash, *Canons,* 2.2:192-195). Here we refer to it as Letter of Gennadius.

4. Letter of Tarasius is published in *Rudder*: 953-961, in Milash (Milash, *Canons* 2.2: 195-202) but is not listed in NPNF2.14.

- those who despise the agape to which poor people are invited and do not communicate with them (c. 11 Gangra)
- those who desert their children and do not instruct them in the fear of God (c. 15 Gangra)
- those who neglect their faithful parents and do not honor them (c. 16 Gangra)
- those who under pretense of asceticism fast on the Lord's Day, Sunday (c. 18 Gangra)
- Christians who honor heretic martyrs (c. 34 Laodicea)
- those who leave the Church of God and gather in assemblies where they give (unknown) names to angels (c. 35 Laodicea)
- a bishop who leaves his inheritance to the heterodox—that is, to heathen and heretics (c. 81 Carthage).

See also CURSE; EXCOMMUNICATION.

ANTIDORON: See BREAD (BLESSED)/ANTIDORON/*EULOGIAE*.

ANGELS: Christians are forbidden to give names other than those in Scripture to the angels and to enter into idolatrous worship of them (c. 35 Laodicea). See also IDOLATRY; INVOCATION OF ANGELS.

ANIMALS: Animals are forbidden as offerings at the altar (c. 3 Ap).

ANOINTING: See CHRISMATION.

ANNUNCIATION: If the Annunciation (March 25) falls on the Thursday or Friday of Holy Week, communicants will not sin if they taste fish and wine (c. 5 Nicephorus the Confessor).

ANTIMENSION: An antimension is made of good-quality cloth, cut in a rectangular shape, and imprinted with the icon of the burial of Christ. The antimension is consecrated, as is the Holy Table, by anointing it with holy myrrh and holy water. In some Orthodox traditions (notably, in the Slavic tradition) the antimension contains small fragments of the relics of the saints, while in the Greek tradition those relics are planted in the Holy Table. The antimension carries the signature of the ruling hierarch and is the proof of his canonical permission to perform Divine Liturgies in that church.

In case of necessity, the antimension could replace the Holy Table: for example, if the church were to catch fire during the Divine

Liturgy (and especially after the Cherubic Hymn), the priest may fetch the antimension and the other vessels and continue the liturgy to the end in another place (Symeon of Thessalonika, V.108).

If an antimension is washed unwittingly, it does not lose its sanctity, nor does it become unclean because of its having been washed (c. 1 Nicephorus the Confessor).

If a priest celebrates the Divine Liturgy in a consecrated church but without an antimension, he is canonized with two hundred prostrations; if he celebrates the liturgy in a nonconsecrated church and without an antimension, he should be cut off from the Church (excommunicated; EL 46).

A layperson is not allowed to touch the antimension because it may be soaked with small particles from the Eucharist. If damaged or unusable, the antimension may be discarded, with the approval of the ruling bishop, in the following manner: the antimension is put in a clean clay vessel and burned to completion; the ashes may be disposed of in the special drain under the Holy Table, or they may be buried, along with the vessel, in a clean place (St. Symeon, 5.127).

If a drop of Holy Communion falls on the antimension or the vestments or the covers (*kalymmata*), the priest should recover as much as possible, and then he may wash the items in a clean clay vessel. The water should be disposed of in the drain under the Holy Table; the clay vessel should be broken and buried next to the wall of the church (EL 1251).

The covers of the altar table, the antimension, the sponge, and the vessels must be kept clean. If they need cleaning, the priest or the deacon should wash them in a clean clay vessel; the water should be disposed of in the drain under the Holy Table, and the vessel should be broken and buried next to the wall of the church **(EL 1263).**

APOLLINARIANS: Apollinarians pondered the double nature of Christ; in their zeal for the true deity of Christ, they fell into the error of a partial denial of his true humanity. Using Plato's categories, they attributed to Christ a human body (σῶμα) and a human soul (ψηχὴ ἄλογος), *anima animans*) but not a rational spirit (νοῦς, πνεῦμα, ψυχὴ λογική, *anima rationalis*). They put the Divine Logos in the place of the latter.[5]

5. Cf. NPNF-2. 14: 173–174.

The heresy of the Apollinarians is anathematized (c. 1 II). Apollinarians may be admitted to the catholic Church by chrismation and after renunciation of their heresies (c. 7 II).

APOSTASY: Apostasy refers to the attitude of those clerics and laypeople who leave their Christian faith and become enemies of it; three types of apostasy may be distinguished: (1) apostasy of perfidy, when the apostates join the Jewish faith or return to paganism; those guilty of such apostasy are called renegades and they are treated as heretics; (2) apostasy of disobedience, when one denies the canonical authority of a hierarch or the authority of the holy canons; (3) apostasy of irregularity, when monastics or clergymen leave the order or the Church without approval.

A. Of a clergyman

Apostasy of a clergyman must be analyzed under two categories: apostasy before ordination, when he was a layman, though he eventually enrolled in the orders; and apostasy after ordination.

If anyone who has lapsed has been ordained through ignorance or even with previous knowledge of the ordainers, when discovered, he should be deposed (c. 10 I).

If anyone renounces the Christian faith out of fear of men and then returns to the Christian faith, that person may not be ordained to the priesthood; if he is already priest, he should be deposed (EL 55).

Presbyters who offered sacrifices to idols and afterward returned in sincerity to the Christian faith shall retain the honor of the chair but are not permitted to make oblation or to preach or, in short, to perform any act of sacerdotal function (c. 1 Ancyra).

The same applies to deacons who offered sacrifices to idols and then returned to the true faith: they should keep the rank and honor but not be allowed to perform liturgical functions; however, if the bishop notices eagerness in fulfilling the duty and humbleness in behavior, he may grant indulgence and restore the deacon to his previous authority (*economia*; c. 2 Ancyra).

Those who were forced through violence to join the Arian heresy but who in their hearts kept the true faith should be forgiven and received back at the rank to which they belonged;

as for the leaders who mislead the faithful (Eudoxius of Constantinople and Euzoius of Antioch), they should be anathematized (c. 3 Athanasios the Great).

If any of the clergy, through fear of men, heathen, or heretic, denies the name of Christ, let him be cast out; if he denies that he is a clergyman, let him be deposed. If he is a layman, let him be excommunicated (c. 62 Ap).

Any priest who out of fear of men or because of great sufferings renounces the name of Christ loses his gift of ordination (charism) and needs to be cut off from the Church of Christ. If he repents, he will be received back as a layman with external signs of his priesthood (EL 56).

If an angry priest says that he will leave the faith in words but not in deed, he should be suspended for a long time but not deposed; for there is a difference between the sins of thought, of word, and of deed (Symeon of Thessalonika, IX, 42).

B. Of a layperson

"But he who denies himself to be a Christian, that he may not be hated by men, and so loves his own life more than he does the Lord, in whose hands his breath is, is wretched and miserable, as being detestable and abominable, who desires to be the friend of men, but is the enemy of God, having no longer his portion with the saints, but with those who are accursed" (AC 5.4).

"But if be called to martyrdom, with constancy to confess His precious name, and if on this account we be punished, let us rejoice, as hastening to immortality" (AC 5.6).

As many as fell to apostasy without danger to their lives and property, the synod declared that they have deserved no clemency, but they shall be dealt with mercifully; if they repent, they should be excommunicated for thirteen years (c. 11 I).

Those who endured violence and were seen to have resisted, but who afterward yielded to wickedness and by means of gifts regained their military stations[6], let them be excommunicated

6. In order to understand this canon, we need to know that before the Edict of Milan (313 AD), Christians who served in the military were required to sacrifice to gods, renouncing the Christian faith. Some of them decided to renounce military career rather than sacrifice to pagan gods; the sign of renouncement was removing and delivering to their commanders the military belts. Eventually some of those people wanted to join again the military [thus renouncing their Chrtistian faith]. For those people the penitence was harsher (i.e. 13 years), while for those who repented the penitence would be shortened by the bishop.

for thirteen years (*akriveia*). But in every case the way in which they do their penance must be scrutinized, and the bishop may treat more leniently those who show zeal in its performance (*economia*) (c. 12 I).

Concerning catechumens who have lapsed, the synod decreed that after they passed three years as hearers, they should again join the rank of the catechumens (c. 14 I).

Those who have been subjected to torment and violence, imprisoned, or abused, having food thrown into their hands or in their mouths, and who eventually showed grief and humility should not be repelled from the communion; if they were repelled, they should be readmitted. This applies to both clergy and laity. If a layman fell under the same compulsion and if his course of life is proved upright, he should be admitted to the orders (c. 3 Ancyra).

Those who were forced to sacrifice and eventually partook with indifference of the feast provided are to be received back after six years of excommunication (one year as hearers, three years as prostrators, and two years as costanders; c. 4 Ancyra).

Those who went up in mourning attire and sat and ate, weeping through the whole entertainment, should be three years prostrators and then costanders; but the bishop, after considering the character of their conversion, should deal with them either leniently or strictly (*economia* and *akriveia*; c. 5 Ancyra).

Those who yielded merely upon threat of penalties, of confiscation of their goods, or of banishment and have sacrificed; if they repent, they should be hearers until the Great Day—that is Easter (Pascha); then they should be prostrators for three years and costanders for two more years, so to complete the full six years. But if anyone is in danger of death from disease or other cause, let him be received, but under limitation (c. 6 Ancyra).

Those who participated in the feasts of the heathen but brought and ate their own food should be received to Holy

Communion after they have been prostrators for two years; as for Holy Communion, the bishop is to examine and decide according to the life of each one (c. 7 Ancyra).

Those who sacrificed under pressure two or three times should be prostrators four years and costanders for two years, and in the seventh year they should receive Holy Communion (c. 8 Ancyra).

If someone assumes the name of a Christian and then insults or blasphemes Christ, Christianity and the mercy of Christ shall have no bearing on him (c. 45 Basil the Great).

One who has denied Christ without constraint should cry for the rest of his or her life, and if repentant, that person should receive Holy Communion on the deathbed (c. 73 Basil the Great).

Those who denied the faith of Christ during the barbarian invasions and ate from their foods should be canonized according to the decrees of the Fathers: those who were submitted to tortures and were forced to deny Christ should be received back after eight years of excommunication: three years at the door of the church, two years as hearers, and three years as prostrators; those who without much constraint gave up and sold the faith of God should be excommunicated for eleven years: three years outside the church, two years as hearers, three years as prostrators, and three years as costanders (c. 81 Basil the Great).

Whoever has willingly denied Christ should be penanced with excommunication to the end of his or her life according to the canons of Ancyra and of the Holy Fathers Peter of Alexandria, Basil the Great (c. 75, 81), and Gregory of Nyssa (c. 1a John the Faster).

More lenient penances were decreed at the Council of Constantinople (Holy Wisdom, 842–846) under Patriarch Methodios,[7] and those decrees say that if someone denied Christ when a child and ignorant and eventually, at maturity, came back to the faith, he or she should hear for seven days the four prayers of the Church and on the eighth day be baptized,

7. C. 1 John the Faster includes a text of St. John (c. 1a) with two additions of Matthew Blastares (c. 1b, 1c), additions shown in the decrees of the Council of Constantinople (842–846).

anointed with myrrh, and receive Holy Communion (c. 1b John the Faster).

And those who were tortured in order to deny Christ are entitled to mercy; they should fast eighty days, listen to the prayers for seven days, on the eighth day they should be anointed and then receive Holy Communion. But those who willingly denied Christ should be excommunicated for two years with fasting, prayers, and prostrations; then they should listen to the prayers for seven days, and on the eighth day they should be anointed and then receive Holy Communion (c. 1 John the Faster).

One who has denied Christ without being constrained, indulged, or threatened should be excommunicated until the end of life (Trebnik).

C. Of a monastic

Apostasy of a monastic refers to the renunciation of the vows taken in the front of the altar and of his brotherhood. This renunciation is very serious, as the monastic endangers his existence by committing spiritual suicide: "No human beings who have been devoted to destruction can be ransomed; they shall be put to death" (Lev. 27:29).

One who has renounced the monastic habit should not be received in the house but actually should be driven away (c. 25 Nicephorus the Confessor).

If a monastic renounces his calling, eats meat, and marries and then refuses to come back, he should be anathematized, forced into the habit, and locked in the monastery (c. 35 Nicephorus the Confessor).

If a monastic renounces his calling by denying his oath taken in the presence of God, angels, and people and joins the ranks of the laypeople and then in repentance comes back to the monastery, he should be penanced with six years (*economia*) or ten years (*akriveia*; EL 87).

Monks or nuns who decide to marry commit fornication—in fact, adultery—as their monasticism was true marriage, and they should be excommunicated until the time of repentance; if it happens that they die before reconciliation with the Church, they should not have a funeral service or be buried in the

cemetery, nor should they be commemorated in the trisagion and memorial service (EL 88).

If a monastic who renounced his calling returns in repentance to his previous status, and if he was also a priest (hieromonk), he will not retain his priesthood (EL 90).

APOSTATE: An apostate is one who, after having embraced the Christian faith, leaves the faith and becomes its declared enemy; he or she may ridicule the faith (as the emperor Julian the Apostate did in his short reign, 361-363) or persecute it (as the emperor Hadrian did for more than two decades, 117-138). Any apostate is a heretic, but not all heretics are apostates. The grace of the Lord should not be refused to those who repent; the lapsed person who has performed sacrifices to idols under torment of violence should be received as a repentant actor is to be received to penance (c. 45 Carthage). See also LAPSED.

APPAREL: See DRESS.

APPEAL: If a bishop appeals to the emperor (i.e., civil authority) against a sentence of deposition, he may not be restored, nor can his cause be heard again by a synod (c. 12 Antioch).

If a bishop is found guilty and sentenced with a unanimity of votes by the synod of the province, a new trial should not be granted to him; in other words, it is a definitive sentence with no right to appeal (c. 15 Antioch).

A clergyman who was judged and sanctioned by his bishop may appeal to the metropolitan or the synod if he believes that he was unjustly sanctioned (c. 5 I; c. 6 Antioch; c. 14 Sardica; c. 11 Carthage; c. 4 Theophilos of Alexandria).

If a clergyman was convicted of a crime and if he says his cause should be heard upon appeal, let the appeal be made within a year; after that the appeal shall not be admitted (c. 79 Carthage).

If a charge against a clergyman is presented to the arbitrators (judges chosen by each side) and not to an ecclesiastical court, then the decision of the arbitrators may not be appealed (c. 15, 96, 122 Carthage).

A clergyman deposed by the synod who dares to perform sacraments and services may not appeal to any synod in his defense or for restoration to previous dignity (c. 4 Antioch).

A clergyman or a layperson sanctioned by the bishop may appeal to the provincial synod (c. 5 I; c. 6, 20 Antioch).

APPOINTMENT (ASSIGNMENT): Presbytides (female priests, or presidents) are not to be appointed in the Church (c. 11 Laodicea).[8] See also BISHOP.

APPROPRIATION: Bishops are forbidden to appropriate ecclesiastical property for themselves or for their relatives (c. 38 Ap; c. 25 Antioch); priests are forbidden to appropriate ecclesiastical property for themselves (c. 25 Antioch).

If a clergyman or layperson takes away candles or oil from the church, he should be excommunicated [and should restore a fifth part more than he took][9] (c. 72 Ap). The appropriation of consecrated vessels is forbidden and punished with excommunication (c. 73 Ap), and the appropriation of the firstfruits is punished with anathema (c. 7, 8 Gangra).

The monasteries that have been consecrated with the consent of the bishop shall remain monasteries forever, and their property should be preserved; the monasteries shall never again become secular dwellings. Those who permit such things should be liable to ecclesiastical penalties (c. 24 IV).

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8. Zonaras and Balsamon believed that the *presbytides* were venerable older women who made sure that other women kept good and modest order. Other commentators believed that they were widows. Hefele assumed that they were older deaconesses in charge of the other deaconesses and that they should be distinguished from the priestesses. Fuchs believed that they were simply deaconesses. Neander went further, stating that the canon no longer allows the ordination of the deaconesses in the Church (though the Sixth Ecumenical Council still mentioned their ordination in c. 14). The *presbytides* should be not confused with the presbyteresses or priestesses, who were elderly women in need of help and who participated frequently in love feasts (AC 2.28). See the interpretation of the canon in the *Rudder*, 556 and commentaries to the canon in NPNF 2.14: 130-131. See also DEACONESS.

9. The sentence in brackets is present in some texts and missing in others; c. 72 of the Holy Apostles asks for the restoration of what was stolen plus one-fifth more, in agreement with the biblical teaching "when you have sinned and realize your guilt, and would restore what you took by robbery or by fraud or the deposit that was committed to you, or the lost thing that you found, or anything else about which you have sworn falsely, you shall repay the principal amount and shall add one-fifth to it" (Lev. 6:4–5). This is a good example of the Jewish retribution system.

ARBITRATOR (REFEREE): In disputes between clergymen an arbitrator, or referee, may be appointed by the parties, subject to the bishop's approval (c. 9 IV).

ARBITRATION: Litigations among the clergy can be solved by arbitration if they agree with this modality and if the bishop approves it (c. 9 IV; c. 16 Carthage). The decision given by the arbitrators may not be appealed (c. 15, 96, 122 Carthage).

ARCHBISHOP (EXARCH): Complaints against a metropolitan are to be laid before the exarch of the diocese or the throne of Constantinople, and there tried (c. 9, 17 IV). Exarchs may not acquire or usurp jurisdiction contrary to the ancient custom (c. 8 III). The Archbishop of Alexandria was entitled by ancient custom to be consulted by the bishops of Egypt before they signed even acts that they approved (c. 30 IV). See also METROPOLITAN.

ARIANS: Arians were followers of Arius, an archimandrite from Alexandria, Egypt (250–336), who denied the full divinity of Christ. Arius and his followers regarded Jesus Christ either as a created being (as in Arianism proper and Anomoeanism) or as neither uncreated nor created in the sense that other beings are created (as in semi-Arianism). The heresy of the Arians is anathematized (c. 1 II), but Arians may be admitted to the one catholic Church by chrismation and renunciation of their heresies (c. 7 II).

ARISTERI: See CATHARI.

ARMY: If a bishop, priest, or deacon serves in the army and wishes to retain both the Roman magistracy and the priestly office, let him be deposed (c. 83 Ap; c. 7 IV). Those who have been enrolled among the clergy or have taken monastic vows may not accept a military charge or any secular dignity; if they repent and return to their calling they should be forgiven; otherwise, they should be anathematized (c. 7 IV).

ARSENOCOETIA: *Arsenocoetia* is the copulation of one man with another man. St. Paul condemns the practice not only in terms of the Levitical prohibition of same-sex intercourse but also as a supreme form of depravity (1 Cor. 6:9; 1 Tim. 1:8–10). See also SODOMY.

ASCETICS: If any of the ascetics, without bodily necessity, disregards intentionally the fasts commonly prescribed by the Church, let him

be anathema (c. 19 Gangra). Ascetics are not allowed to enter a tavern (c. 24 Laodicea), and ascetics are not allowed to wash in a bath with women (c. 30 Laodicea).

ASCETICISM: True asceticism (virginity accompanied by humility, continence accompanied by godliness and gravity, frugality, engaging in exceeding charity, honoring marriage, not condemning wealth accompanied by beneficence, showing reverence for the house of God, embracing the congregations, etc.) is commended (c. 21 Gangra).[10] False asceticism is to be condemned and appears in different manifestations, such as the following:

- in one who abstains from marriage because he or she abhors it (c. 51 Ap; c. 9 Gangra)
- in those who condemn marriage (c. 1 Gangra)
- in those who refuse the oblation (Holy Communion) offered by a married priest (c. 4 Gangra)
- in women who forsake their husbands because of abhorrence of marriage (c. 14 Gangra)
- in a bishop, priest, or deacon who abstains from meat and wine because he abhors them (c. 51 Ap)
- in anyone who condemns Christians who eat meat (c. 2 Gangra)
- in anyone who despises love feasts (c. 11 Gangra)
- in those who fast on Sundays (c. 18 Gangra)
- in those who disregard the fasts of the Church (c. 19 Gangra)
- in those who despise those who wear common and customary dress (c. 12 Gangra)
- in women who, instead of a woman's accustomed clothing, wear that of a man (c. 13 Gangra)
- in women who cut off their hair (c. 17 Gangra)[11]
- in those who teach that the house of God and the assemblies held therein are to be despised (c. 5 Gangra)

10. In some canonical collections, this canon is not numbered but rather appears as the Epilogue of the Regional Synod.

11. St. Paul discussed the tradition of women's covering their heads (1 Cor. 11:10); shaving the hair was not only shameful but also indicated an abandoning of the subjection to their husbands. From Hefele's commentary to this canon one learns that many Eustathian women renounced this subjection and left their husbands. Cutting their hair was simply visible proof of the abandonment. See Hefele's commentary to the canon, NPNF 2.14: 99.

- in those who disrespect the services offered to the martyrs (c. 20 Gangra)
- in parents who forsake their children, fail to nurture them, and neglect them under pretense of asceticism (c. 15 Gangra)
- in children who forsake their parents and under the pretense of piety toward God do not offer honor and reverence to their (faithful) parents (c. 16 Gangra).

All the aforementioned canons of Gangra penance the pretense of asceticism with anathema. False asceticism in a bishop, priest, or deacon who divorces his wife under pretext of piety (c. 5 Ap) or who abstains from flesh and wine because he abhors them (c. 51 Ap) is penanced with deposition.

ASSEMBLIES (CONGREGATIONS): A clergyman who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop with regard to religion or justice, should be deposed (c. 31 Ap; c. 31 VI; c. 5 Antioch; c. 35 Laodicea; c. 10 Carthage). Those who despise Church assemblies are to be anathematized (c. 5, 6 Gangra; c. 10, 11 Carthage), whereas those who abhor assemblies in the honor of the martyrs and the services and the commemoration of the martyrs should anathematized (c. 20 Gangra). Assembling in church for public worship is commended (c. 21 Gangra).[12]

ASTROLOGERS: Astrologers are to fulfill five years of penance, three years as prostrators, and two of prayer without oblation (i.e. Holy Communion) (c. 24 Ancyra).

ATTENDANCE (GENERAL): When attending weddings, Christians must not join in wanton dances but are to modestly dine or breakfast as is becoming to a Christian (c. 53 Laodicea). Clergymen are forbidden to attend plays at weddings and banquets (c. 54 Laodicea), and a priest is not allowed to attend as a guest the marriage of a digamist (c. 7 Neocaesarea).

A bishop should attend twice a year the meetings of the synod where matters of doctrine are discussed and ecclesiastical disputes are decided (c. 37 Ap; c. 20 Antioch) in order to revise episcopal sentences (second instance of appeal; c. 5 I; c. 20 Antioch) and

12. In some collections of Canon Law, c. 21 Gangra appears as an Epilogue rather than as a numbered canon.

to regulate ecclesiastical affairs (c. 19 IV). If the bishop does not attend, he is to be admonished unless he was prevented by unavoidable business (c. 19 IV) or ill health (c. 19 IV; c. 40 Laodicea).

Bishops must attend a provincial synod and either teach or be taught for the reformation, or betterment, of the Church and of others; however, they should be not guilty of contempt by being absent without an excuse of illness (c. 40 Laodicea).

Bishops who do not attend the twice-yearly meetings of the canonical synod, providing they are in good health and free from unavoidable business, shall receive a brotherly admonition (c. 19 IV; c. 8 VI).

The invitation by a metropolitan to his provincial bishops to attend the synod for the election of a bishop should be in writing (c. 19 Antioch).

Illness is an excuse for the bishop who cannot attend the provincial synod (c. 19 IV).

If a bishop cannot attend the synod dedicated to the election of a bishop, he may give his written consent to the ordination (c. 4 I; c. 19 Antioch).

A bishop may not attend or communicate at the services of heretics in cemeteries or martyries; if he does so, he should be excommunicated for a time, but if he repents and confesses he shall be received back (c. 9 Laodicea).

A synod may pass a sentence on a bishop in his absence if after being summoned three times he refuses to attend (c. 74 Ap).

ATTENDANCE (OF CHURCH SERVICES): See CHURCH ATTENDANCE.

ATTIRE, PRIESTLY: None of those who are in the sacerdotal list shall wear clothes unsuited to them, either while living in town or when on a journey; but they shall wear such clothes as they are assigned to those who belong to the clergy. And if any one shall violate this canon, he shall be cut off (suspended) for one week (c. 27 VI). Bishops and clergymen arraying themselves in splendid clothes and anointing themselves with perfumes must be corrected. Should they persist, they must be punished (c. 16 VII).

AUNT: The aunt of a clergyman may reside with him (c. 3 I).

AUTOCEPHALY (SELF-GOVERNANCE): A church reaches its utmost maturity when all other autocephalous churches recognize

it as autocephalous; consequently, the Ecumenical Patriarch issues a *tomos* stating the church's rights to set up a synod of bishops, to elect a primate of the church (archbishop or patriarch; c. 34 Ap), to exercise ecclesiastical authority over a specific territory (c. 2 II), and to sanctify the holy myrrh needed in the sacrament of chrismation.

The Fathers of the First Ecumenical Council imperatively stated, "Let the ancient custom prevail," thus maintaining the authority of the apostolic churches over their territories; "thus the effect of this canon is that nothing relating to the administration of church affairs can be done without their consent and approval or sanction" (c. 6 I).

Bishops must not leave their own dioceses and go to churches beyond their boundaries. The authority of the leaders of the church and of the synod of each province will confine itself to the affairs of that particular province. But the churches of God that are situated in territories belonging to barbarians nations must be administered in accordance with the customary practice of the Fathers (c. 2 II).[13]

Let the Bishop of Constantinople, however, have priority of honor after the Bishop of Rome, because of its being the New Rome (c. 3 II).

None of the bishops most beloved by God shall take hold of any other province that was not formerly and from the beginning in his jurisdiction or was not, that is to say, held by his predecessors. The rights of every province, formerly and from the beginning belonging to it, should be preserved clear and inviolable (c. 8 III).

The throne of Constantinople is declared equal in privileges and honor to the throne of Rome, and consequently its authority extends to the ordination of the metropolitans only of the Pontic, Asian, and Thracian dioceses (after the elections have first been

13. The term *barbarian* did not have the pejorative meaning of today but in fact referred to people who lived outside of the borders of the empire and whose language sounded like stuttering to speakers of Greek. See the original meaning of the Greek word *barbaros*, "stammering," "stuttering," "uttering unintelligible sounds," as well as the etymological transition to "the one who speaks a strange language" and then to the geographical and ethnographical sense of a "strange race," "non-Greek." The antithesis Greek and non-Greek lands (ἡ Ἑλλάς / ἡ βαρβάρη γῆ) led eventually to the moral sense of the word: "barbarian," "wild," "crude," "fierce," "uncivilized." St. Paul had a very good grasp of the geographical meaning of the word when he equated *barbarian* with *foreigner*: "but if I do not know the meaning of the language, I shall be a foreigner to the speaker and the speaker a foreigner to me" (1 Cor. 14:11).

conducted in accordance with custom) and the ordination of the bishops of the aforesaid dioceses that are situated in barbarian lands (c. 28 IV).[14]

Two additional judicial privileges were given to the see of Constantinople, to which both point as the supreme court of judgment, and are spelled out in canons 9 and 17 of the Fourth Ecumenical Council:

If a clergyman has a dispute with the metropolitan, let him apply either to the exarch of the diocese or to the throne of Constantinople (last part of c. 9 IV).[15]

Rural or country parishes in any province should remain under the authority of the local bishop, especially if they were held and managed for thirty years or more without any dispute concerning his authority. If disputes arise, those claiming that they have been unjustly treated by the local bishop shall be permitted to complain to the synod of the province. Conversely, if the dispute arises with the metropolitan, let them complain to the exarch of the province or before the throne of Constantinople (c. 17 IV).[16] See also PRESCRIPTIVE RIGHTS.

The Fathers declared that the throne of Constantinople should enjoy seniorities (or priorities) equal with those of the throne of older Rome and in ecclesiastical matters should be magnified like the latter, coming second after the latter, after which the throne of the great city of the Alexandrians should come next, then that of Antioch, and after this the throne of the city of the Jerusalemites (c. 36 VI).

AUTONOMY (LIMITED GOVERNING): A church that does not reach full maturity and is dependent on the mother church in some of its functions is called an autonomous church.

14. The bishops of the Pontic, Asian, and Thracian dioceses were to be ordained by their metropolitan, along with bishops of the province, as c. 6 I prescribed. C. 28 IV is one of the most controversial canons of Orthodox Canon Law because the western Church did not approve it, and because some autocephalous Orthodox Churches occasionally claim for themselves the full and singular authority over their parishes in "barbarian lands" or diaspora.

15. This means that the clergyman should be judged not by the exarch or the emperor but by the synods of the eparchy or by the Patriarchate of Constantinople.

16. The terms described in the preceding note also apply here.

If any bishop comes into possession of a church by employing secular rulers, let him be deposed from office, and let him and all those who communicate with him be excommunicated (c. 30 Ap).

Appointment of the clergy and the election of the bishops should be done according to the canons and not under the influence of civil rulers. But the ratification of the proceedings—let it be entrusted in each province to the metropolitan (c. 3 VII). See also BISHOP; CHURCH; EPARCHY.

BANISHMENT (EXPELLING[17]): Some clergymen and monks left their eparchies without the authorization of their bishops, went to the imperial city of Constantinople, and caused disturbances there. The synod decided that they should first be instructed by the advocate of Constantinople to return to their cities, and if they refused, they would be expelled by the same advocate (c. 23 IV).

BANQUETS: Clergymen are forbidden to attend plays at weddings and banquets (c. 54 Laodicea). See also PLAYS.

BAPTISM: Baptism is the first sacrament of the Church, a gate through which the Christian is received into the Church of Christ. Baptism was instituted by our Lord and through his example (Matt. 3:13; Mark 1:9); he taught the disciples how to baptize (Matt. 28:19). All people—young and old, men and women—who believe in Christ and his teachings are to be initiated through baptism. The faith of the children is guaranteed by the faith of the parents and godparents (Acts 2:38–39, 10:44–48, 16:14–15, 18:8, 22:16). Baptism cleanses a human being from ancestral sin and from the sins committed during one's life. The newly baptized person is brought to the state of innocence that Adam and Eve enjoyed before the Fall (Col. 2:12–13; Titus 3:5).

Baptism is not optional; is the first step to salvation (Matt. 28:19; Mark 16:16; Rom. 6:4; 1 Cor. 15:50; Eph. 2:5). Baptism is done by immersion, three times, in water; the bishop and the presbyter are the only ones allowed to perform baptism. The deacon or any other faithful, in exceptional conditions, may baptize someone in danger of death. See BAPTISM, EMERGENCY.

If someone rejects baptism he or she may not have a part in salvation; only the holy martyrs are saved without baptism. In fact,

17. In a recent development (fall 2008), the Synod of the Patriarchate of Jerusalem expelled one of its members because he plotted against Patriarch Theophilos III.

at their martyrdom, they receive the baptism of blood (Cyril of Alexandria, *Catecheses* 3.10).

In baptism a person "is given into the death of Jesus Christ; the water is instead of the burial, and the oil instead of the Holy Spirit; the seal instead of the cross; the ointment is the confirmation of the confession; the mention of the Father as of the Author and Sender; the joint mention of the Holy Spirit as of the witnesses; the descent into the water the dying together with Christ, the ascent out of the water the rising again with Him" (AC 3.17).

"But let him that is to be baptized be free from all iniquity; one that has left off to work sin, the friend of God, the enemy of devil, the heir of God the Father, the fellow-heir of his Son; one that has renounced Satan, and the demons, and Satan's deceits" (AC 3.18).

The dead may not be baptized, as they may not receive Holy Communion (c. 83 VI).

Neither the Eucharist nor baptism should be given to the bodies of the dead (c. 18 Carthage).

The sick who may not answer the questions should be baptized only when they can provide testimony (in another way) of understanding the significance of baptism (c. 45 Carthage).

The decree of the Synod of Capua stated that no rebaptisms or reordinations should take place, and that bishops should not be translated, or transferred (c. 48 Carthage).

Baptism washes away all sins (c. 12 Ancyra).

Baptism is to be performed according to the catholic (i.e., universal) formula: "In the name of the Father, and of the Son, and of the Holy Spirit"; baptizing into three unoriginated beings, or three sons, or three comforters, is to be punished with deposition (c. 49 Ap).[18]

Those baptizing with one immersion into the death of the Lord should be deposed (c. 50 Ap).

Baptism is to be followed by chrism and the Eucharist (c. 48 Laodicea).

18. In some Protestant churches, the Trinitarian formula "in the name of the Father, and the Son, and the Holy Spirit" has been replaced with the formula "in the name of the Creator, Redeemer, and Sustainer." But any variation from the traditional Trinitarian formula is forbidden. For example, the heretic Montanus viewed himself as the incarnation of the Holy Spirit and baptized people "in the name of the Father, Son, and Montanus."

Candidates for baptism are not to be received after the second week of Lent (c. 45 Laodicea).[19] They must learn the creed by heart and recite it to the bishop on Holy Thursday (c. 46 Laodicea).

A bishop or a presbyter who has admitted the baptism or sacrifice of heretics should be deposed (c. 46 Ap).

A bishop or a priest is not allowed to rebaptize the one who rightly received baptism, and they are not to refuse baptism to one who has been polluted by the impious (c. 47 Ap).

Readers and singers are prohibited to marry a heterodox person; but if they are already married and have children baptized among the heretics, they should bring them into the communion of the catholic Church. If their children are not baptized, they should be baptized and eventually marry in the Orthodox Church; anyone who transgresses this decree should be subjected to canonical censure (c. 14 IV).

A clergyman who admits the baptism of the heretics should be deposed (c. 46, 68 Ap).

Liturgical prayer and baptism may not be done in *parakleses* and private houses without the approval of the bishop; the clergy conducting such services should be deposed, and those who received Communion should be excommunicated (c. 12 Constantinople I–II).

Teaching about the triple immersion in water of the candidate for baptism and the three renunciations of Satan has come from Holy Tradition (c. 92 Basil the Great).

The baptism of the Eunomians by one immersion is declared void (c. 7 II).

The baptism of the Phrygians and Sabellians is void (c. 7 II).

The baptism of some heretics is valid; the baptism of others is not (c. 7 II; c. 7, 8 Laodicea; c. 1, 47 Basil the Great; c. 47, 57 Carthage; c. 95 VI).

Those receiving baptism should learn about the faith through catechism (c. 78 VI; c. 46 Laodicea).

If a young child catechumen or an adult catechumen out of ignorance partakes of Holy Communion, he or she should be illuminated (i.e., baptized), for he or she is called by God (c. 1 Timothy of Alexandria).

19. Candidates for baptism could not be received after the second week because the instruction and the fast would be severely shortened.

If catechumens who are possessed want to be baptized, they should be baptized at the hour of death (c. 2 Timothy of Alexandria).

A catechumen who is ill and cannot make the profession of faith may be baptized (c. 4 Timothy of Alexandria; c. 47 Laodicea; c. 5 Cyril of Alexandria). If a sick catechumen cannot make the profession of faith by himself, he must bring a sponsor who will guarantee that once the catechumen becomes healthy, he or she will be faithful to the Church (c. 45 Carthage).

One who was baptized recently may not become a clergyman (c. 80 Ap; c. 12 Neocaesarea; c. 3 Laodicea; c. 10 Sardica; c. 2 I).

Infants are baptized for the remission of sins; those who deny this should be pronounced anathema (c. 110 Carthage).

If it is unknown whether children have been baptized, they should be baptized without reluctance or qualms—that is, scruples (c. 72 Carthage; c. 84 VI).

Baptism should be performed in the church; clergy who perform this sacrament outside of the church without the approval of the bishop should be deposed (c. 31, 59 VI; c. 12 Constantinople I–II).

Baptism should be performed by a bishop or a priest (c. 50 Ap). In case of emergency, baptism may be performed by a deacon or a monk (c. 44 Nicephorus the Confessor) or even by a Christian; this is clinical or emergency baptism (c. 45 Nicephorus the Confessor; Answer 11 Theodore of Studium).

A pregnant woman can be baptized any time with no consequence for the unborn baby; the profession of faith is personal and individual (c. 6 Neocaesarea).

Baptism may not be repeated (c. 47 Ap; c. 48 Carthage).

The following belong to the ritual of baptism: the exorcism, the renunciations, the blessing of the baptismal water, the anointing with oil, the three-time immersion, the anointing with myrrh (chrism; c. 91 Basil the Great).

When a child is baptized he or she must look toward the east, as when Christ was crucified he was looking to the east and not to the west; also, the Christians make their cross looking to the east (Paradise, Garden of Eden), where the heaven was planted. But the exorcisms must be said looking toward the west, from where the darkness and corruption of the devil came (EL 216).

Undressing the infant represents casting out the sinful nature brought by Adam and acquiring a new nature through Christ. Complete undressing of the infant symbolizes the complete shedding of the garments of corruption and putting on the garments of salvation (EL 217).[20]

When the newly baptized is tonsured in the sign of the cross, he or she enters into the flock of Christ; in the same way, the owner of sheep marks them to show that the sheep belong to him and to nobody else (EL 223).

Baptismal clothes must be new and white, just as the newly baptized puts on the new and uncorrupted nature of Christ (EL 224).

The anointing with holy myrrh is like the seal of a king: nobody dare touch it, and wicked spirits stay away from it; that is why at each place of the anointing it is said, "The seal of the gift of the Holy Spirit!" (EL 225).

A priest is not allowed to baptize the child of a heretic or to be sponsor of the baptism or the wedding of a heretic; one who dares to do so should be deposed (EL 228).

If no other priest is available, a priest may baptize his own child, but he must ensure that the godparent is somebody else; if a priest receives his child at the baptism—that is, he is the godfather— then he should separate from his wife, the mother of his child, because they have made themselves spiritual relatives (Trebnik, 102).

Between the candidate to baptism and his sponsors a relationship of kinship develops. See KINSHIP (SPIRITUAL).

BAPTISM, EMERGENCY: If a newly born baby is in danger of death, he or she should be baptized by any Christian, clergy or laity. If no water can be provided, the baby should be raised in the air three times, and the formula of baptism should be said.[21] If the baby recovers, he or she is taken to the church, and the service of baptism is continued from the immersion to the end. There is no need to read the exorcisms and the prayers that precede the immersion, as the grace of God manifested at the immersion covers them too (EL 179).

20. This understanding is the justification for the complete undressing at baptism of children and adults alike; that was common in the early Church and is still practiced in some places in Orthodox countries.

21. The formula for baptism is this: "The servant of God *Name* is baptized in the name of the Father (Amen!), and the Son (Amen!), and the Holy Spirit (Amen!)."

If anyone is baptized when ill, and his profession of faith is not voluntary but of necessity, he may not be promoted to the presbyterate unless on account of his subsequent zeal and faith and because of a lack of men (c. 12 Neocaesarea).

A newly born child in danger of death should be baptized (c. 37 Nicephorus the Confessor).

If a woman gives birth and the baby is in danger of death, after three or five days that baby should be baptized, and another woman should nurse him and take care of him or her. The mother should recover from illness and take care of the baby after the churching at forty days (c. 38 Nicephorus the Confessor).

If a newly born infant dies and was not baptized because of the negligence of the parents, the parents should be excluded from Holy Communion for three years, eating dry food and doing prostrations; if the infant is at least seven days old and dies unbaptized, the parents should be excluded from Holy Communion for seven years, eating dry food and doing forty prostrations daily (c. 37 John the Faster).

An emergency baptism may be performed by a deacon or a monk (c. 44 Nicephorus the Confessor), or even by a layperson (c. 45 Nicephorus the Confessor; Answer 11 Theodore of Studium). If the emergency baptism is performed by a layperson, the office needs to be completed by a priest (Trebnik, 56–60).

BARBARIANS[22]: Castration by barbarians does not disqualify a man for being ordained (c. 1 I).

BATHING: None of the priesthood, nor clerics of lower rank, nor ascetics, nor any Christian or layman, shall wash in a bath with women; for this is the greatest reproach among the heathen (c. 30 Laodicea).

BEASTS: If any clergyman from the sacerdotal list eats the flesh of animals slain by beasts or the flesh of animals that died naturally, he should be deposed; a layperson who does so should be excommunicated (c. 63 Ap).

BEMA: Presbyters may not enter and take their seats in the bema (altar) before the entrance of the bishop unless the bishop is sick at home or absent (c. 56 Laodicea). See also ALTAR.

22. See note about the word *barbarian* under the entry AUTOCEPHALY.

BEQUEST: A bishop is not allowed to bequeath his see to his heirs through episcopal ordination. If he does so, the ordination is void and the ordainer should be excommunicated (c. 76 Ap). The Church may receive bequests in the names of those who did not leave a last will or testament, if when they were alive they expressed such a desire (c. 4 Nicephorus the Confessor). See also TESTAMENT (LAST WILL).

BESTIALITY: People who are guilty of bestial lusts are to fulfill a term of penance varying from twenty to thirty years, according to the circumstance; in some cases they will be allowed to receive Communion only at the point of death (c. 16 Ancyra). Defilers of themselves with beasts, being also leprous and infecting others, are to pray among the *hyemantes* (c. 17 Ancyra). See also *HYEMANTES.*

BETROTHAL: In the early Church, betrothal was the contractual part of marriage in which the parents or guardians of the betrothed determined the dowry and other elements of the alliance between the two families. Betrothal could take place long before the actual marriage, and the consent of the affianced individuals was not required—only that of their parents or guardians.

Betrothal in the Church has the power and the consequences of a Church marriage (c. 22, 69 Basil the Great; c. 22 John the Faster; c. 98 VI).

Breaking a Church engagement (i.e., betrothal) renders any eventual marriage of either party a second marriage.[23] However, if the betrothal was not sanctified in church and the breaking of it occurs because of lack of parental consent, issues with the age, heresy, or sickness, and so on, the betrothal is not taken in consideration by the Church, and the parties can enter into a subsequent betrothal and marriage (c. 10, 31 Laodicea; c. 38, 39, 40, 42 Basil the Great; c. 14 IV; c. 72 VI).

BETROTHED: One who ravishes a virgin who is not betrothed is to be excommunicated and must marry her (c. 67 Ap); the ravisher of a betrothed virgin must restore her to the man to whom she is betrothed (c. 11 Ancyra). He who marries a woman who is betrothed to another man who is still alive is to be considered an adulterer

23. That is why nowadays almost all betrothals are performed in the same service with the marriage proper (the crowning). Moreover, breaking a betrothal performed in church leads to the need for an ecclesiastical divorce.

(c. 98 VI); the one who through seduction corrupted the sister of his betrothed is to be penanced with ten years before being received among the costanders (c. 25 Ancyra).

BIBLE: The canon of the Bible is discussed in c. 85 Ap; c. 60 Laodicea[24]; c. 24 Carthage; c. 2 Athanasios the Great.

BIRDS: If a clergyman receives as an offering for the altar birds and living things, he should be deposed (c. 3 Ap).

BIRTH: Any woman who conceives, gives birth on the road, and fails to take care of the infant such that the infant dies is to be canonized as murderess with twenty years of excommunication (c. 33 Basil the Great). A woman who delivers on the road and neglects her child is guilty of murder unless she was constrained by necessity and lack of means (c. 52 Basil the Great).

A woman who gives birth during Great Lent does not have to fast or to abstain from wine on account of the rules of fasting, as her body is already weak (c. 8 Timothy of Alexandria).

If someone, after the day of the Holy Nativity of Christ (Christmas), is cooking and distributing cakes made with semilam or anything else on the account of the virginal maternity, he should be deposed, if a clergyman; if a layperson, let him be cut off (c. 79 VI).[25]

BIRTHDAYS: Marriages and birthday feasts are not to be celebrated during Great Lent (c. 52 Laodicea).

BISHOP: The rank of bishop is the highest ecclesiastical rank of the Christian Church; all other titles (metropolitan, archbishop,

24. This is one of the most controversial canons, as is leaving aside some of the Apocryphal books of the Old Testament (Judith, Tobit, Wisdom of Jesus son of Sirach and Maccabees) and one book from the New Testament (Revelation). Some theologians believe that the canon is a reproduction of the c. 85 Ap and it was added later to the canons of Laodicea. Others ignore this canon and list only 59 canons for Laodicea. Hefele believes that the canon should be counted as belonging to the canons of Laodicea. For a detailed discussion see Hefele, *Histoire,* 1.2: 1036-1028.

25. Semilam; in Greek σεμίδαλις, "fine flour" (white, pure, fined milled flour, as people wanted to offer the best to the Mother of God). Zonaras called attention to the birth of Christ as a supernatural event rather than as natural one, in which birth is accompanied by suffering and the flow of blood; the distribution of cakes made with σεμίδαλις honoring the birth of Christ might confuse people, in that they might more readily accept it as a birth from human seed rather than one in which the power of the Most High overshadowed the Theotokos.

patriarch) are administrative titles, which require not the sacrament of ordination but the rite of installation.

A. Disqualifications from the office of bishop

A person to be ordained bishop, after baptism, must not have been twice married nor have had a concubine (c. 17 Ap). He must not have married a widow, a divorced woman, a harlot, a slave, or an actress (c. 18 Ap). He must not have married two sisters, nor a niece (c. 19 Ap).

He must not have committed adultery, fornication, or any other forbidden act (c. 61 Ap).

One whose wife committed adultery may not be ordained (c. 7 Neocaesarea).

He must not have castrated himself (c. 22 Ap; c. 1 I), but if he was castrated by force or persecution or born an eunuch, he may be ordained (c. 21 Ap; c. 1 I); if castrated after ordination by force or for surgical purposes, he may remain among the clergy (c. 1 I).

He must not be completely deaf or blind (c. 79 Ap); partial lameness or blindness is not a disqualification (c. 78 Ap).

He must not be possessed by the devil, but if the devil has been cast out and the candidate is otherwise worthy, he may be made a bishop (c. 79 Ap).

A neophyte or a man suddenly converted from a dishonorable life must not be immediately made a bishop (c. 80 Ap; c. 2 I; c. 3 Laodicea); but heathenism is not in itself a disqualification from the bishopric (c. 12 Ancyra).

A slave may not be ordained unless manumitted by his master (c. 82 Ap).[26]

One who has lapsed may not be ordained; if already ordained through ignorance, he should be deposed (c. 10 I), but those who have been steadfast throughout the persecution, though forced to appear otherwise, may be ordained (c. 3 Ancyra).

A bishop must not be ordained without a charge—that is, an assignment (c. 6 IV).

A bishop may not be appointed in a village or country district (c. 57 Laodicea).

26. Manumission was the Roman legal procedure by which a slave was freed.

B. Election to the office of a bishop

Ecclesiastical law requires that a bishop not be appointed otherwise than by a synod and with the judgment of the bishops who have the authority to promote a man who is worthy and after the falling asleep of him who ceased from his labors (c. 23 Antioch).

A candidate is elected by the judgment of the metropolitans and neighboring bishops after having been long proved worthy both in faith and in life (c. 12 Laodicea).

The election of a bishop[27] is not committed to the multitude (c. 13 Laodicea).

The faithful may request that a bishop be elected for them (c. 6 Sardica), or they may object to the selection of certain candidates for the bishopric (c. 50 Carthage).

A bishop is to be elected by all the bishops of the province assembled together (at least three of them), if possible; otherwise, the vote of those missing should be submitted in writing (c. 4 I; c. 19 Antioch).

A bishop is to be elected by the provincial synod (c. 23 Antioch) or by the metropolitan and the neighboring bishops (c. 12 Laodicea); the bishops from neighboring provinces should also be invited to the ordination (c. 6 Sardica).

In case of factious opposition, the election of a bishop should be conducted by majority of votes (c. 6 I; c. 19 Antioch).

Election of a bishop should be ratified by the metropolitan (c. 4, 6 I; c. 3 VI; c. 19, 23 Antioch; c. 12 Laodicea).

A bishop without a see, unless elected by a full synod, may not occupy a vacant see even by unanimous vote of the people (c. 16 Antioch).

The election of a bishop should be done no later than three months after the time the see became vacant. This term may be extended for reasons of necessity. Anyone who ordains contrary to this decree is subject to punishment (c. 25 IV).

A bishop appointed to fill a vacancy (i.e., an intercessor) should ensure that a bishop is elected for that diocese within

27. C. 13 Laodicea discusses the election of a priest, but the canon refers equally to the election of the bishop. In this regard, see commentaries to the canon by Balsamon and Aristenos (NPNF 2.14: 131).

an interval of one year. If he tries to retain the see or delays the election, at the end of that year he should be replaced by another intercessor (c. 74 Carthage).

The one elected as bishop, if married, should separate from his wife, and after his ordination, she is to enter a monastery far from the see city. The bishop should provide for her livelihood (c. 48 VI).

C. Ordination of a bishop

Before ordination a candidate to the bishopric should be examined by the metropolitan concerning the Scripture and the canons (c. 2 VII; c. 12 Laodicea).

No one ordained as a bishop shall live any longer with a wife (c. 12 VI).[28]

A bishop should be ordained by two or three bishops (c. 1 Ap).

A bishop should be ordained by at least three bishops (c. 4 I; c. 13, 49 Carthage) and with the consent of the majority of the bishops of the province (c. 4, 6 I; c. 19 Antioch).

A bishop should be ordained to his see within three months from the time it became vacant (c. 25 IV).

A bishop may not be installed in a diocese that already has a functioning bishop (c. 16 Constantinople I–II).

A bishop who refuses to occupy the see for which he was ordained should be excommunicated (c. 36 Ap; c. 17 Antioch).

One who acquires the dignity of the bishopric through money (i.e., simony) should be deposed, along with the one who ordained him, and also cut off from the Church (c. 29 Ap; c. 22 VI; c. 5 VII).

D. Jurisdiction of a bishop

The bishop holds supreme power in his diocese. The clergy can do nothing without the bishop's approval (c. 34 Ap; c. 8 IV; c. 31, 102 VI; c. 14 VII; c. 9 Antioch).

The bishop has full authority over the monasteries and the monastics of his diocese (c. 4, 8, 24 IV; c. 41 VI; c. 12, 17 VII).

28. Until the Sixth Ecumenical Council (Trullo, 692) not only presbyters and deacons but also bishops were recruited from among the married; however, issues such as corruption, nepotism, the inheritance of Church property by the children of a married bishop, and so on, led to the promotion of monks (who have taken vows of poverty, obedience, and chastity) to the bishopric.

A bishop's jurisdiction is confined to his own diocese (c. 34, 35 Ap; c. 9 Antioch).

Two bishops may not have jurisdiction in the same city (c. 8 I).

A bishop's uninterrupted and peaceful jurisdiction for thirty years over rural parishes from another jurisdiction gives him a good title on them (c. 17 IV). See also PRESCRIPTIVE RIGHTS.

A bishop has jurisdiction over the monks in his diocese (c. 4 IV) and over the clergy of poorhouses, monasteries, and martyries (c. 8 IV).

A bishop has jurisdiction over ecclesiastical property; the bishop should administer the goods of the church as under the inspection of God; however, he must not alienate any of them or give the things that belong to God to his own relatives (c. 38 Ap; c. 24 Antioch).

The bishop has authority over the goods of the church, and with the help of the priests and deacons he should supply those in need; from the same goods he may take what is necessary for him and for the brethren to whom he wants to show hospitality (c. 41 Ap; c. 25 Antioch).

The bishop or the person appointed as steward or *economos* to receive the fruits or the revenues offered to the church should be the ones receiving them; if someone else receives them or distributes them without the knowledge of the bishop, both the giver and the receiver should be anathema (c. 7, 8 Gangra).

A bishop is to be consulted in all matters by the priests and the deacons from his jurisdiction (c. 39 Ap; c. 57 Laodicea).

Visiting bishops or itinerant priests, being appointed for specific tasks in villages or countryside, are not allowed to do anything without the consent of the local bishop.(c. 57 Laodicea).

A clergyman must obtain his bishop's permission before traveling (c. 41 Laodicea).

A monastery or an oratory may not be established in a bishop's diocese without his consent; those who infringe on this rule should be excommunicated (c. 4 IV).

A monastery consecrated with the consent of the bishop shall remain a monastery forever, and such a monastery may not be turned into secular dwellings; those who break this rule are liable to ecclesiastical penalties (c. 24 IV).

Ecclesiastical acts may not be performed by private individuals or by priests without permission from the bishop; people who do these should be anathematized (c. 6 Gangra).

If disputes arise among the clergymen and they agree to have a referee judge their cause, the appointment of the referee should be done with the consent of the bishop (c. 9 IV).

A clergyman may not petition the emperor (i.e., civil authorities) without the consent of his bishop; one who fails to obtain the bishop's permission should be publicly deposed and cast out (c. 11 Antioch).

A *chorepiscopos* (bishop-vicar, or auxiliary bishop) may ordain faithful to the rank of minor clergy, but he may not ordain deacons or priests without the approval of the ruling bishop; if he transgresses this rule, the *chorepiscopos* should be deposed from the rank that he enjoys (c. 10 Antioch).

A bishop may not go into another diocese and ordain the faithful unless he receives a written invitation from the local bishop or metropolitan; if without invitation he ordains or administers affairs, what he does shall be void, and he himself should be deposed (c. 13 Antioch).

A bishop may not transfer from one diocese to another, whether intruding himself of his own suggestion, under compulsion from the people, or by constraint of the bishops (c. 21 Antioch).

A bishop may grant a reconciled bishop of the Cathari who is within his jurisdiction and so under his authority the right to retain his episcopal title (c. 8 I).

A bishop who suspends or excommunicates a person is the only bishop who may readmit him or her (c. 32 Ap; c. 5 I).

A bishop may grant indulgence (i.e., *economia*) to those who endured violence and were seen to have resisted but afterward yielded to weakness, or lapsed, for which they were penanced with ten years of excommunication. If they show zeal in the performance of the penance, the bishop should treat them more leniently; if they have been cold and indifferent, the full extent of the penance should be required (c. 12 I).

Deacons who lapsed shall abstain from every sacred ministry, though they should retain their seat and honor; it is lawful for the bishops to grant more indulgence (i.e., *economia*) or to take away what has been granted (i.e., apply *akriveia*; c. 2 Ancyra).

The lapsed who have fallen in extenuating circumstances should be excommunicated for four years, but the bishops, considering the character of their conversion, should be more lenient (i.e., apply *economia*) or extend the time of the penance (i.e., apply *akriveia*; c. 5, 7 Ancyra).

It is not lawful for a virgin who has dedicated herself to God, nor for a monk, to marry; if they do that, they should be excommunicated, but in every place the bishop should have the power of indulgence toward them (i.e., *economia*; c. 16 IV).

Those who are guilty of bestial lusts, if under twenty years old, should be prostrators for fifteen years and communicants in prayer for another five years; their life as prostrators should be examined, and they may receive indulgence (*economia*); or if they were insatiable in their crimes, the time of prostration should be prolonged (*akriveia*). If the guilty one is over twenty years of age and has a wife, he should be a prostrator for twenty-five years; but a married man over fifty years of age who does so shall be a prostrator to his life's end (c. 16 Ancyra).

Concerning those who fall into many marriages, the appointed time of penance is well known,[29] but their manner of living and faith shortens the time (*economia*; c. 3 Neocaesarea).

E. Duties of a bishop

A bishop is to ordain priests, deacons and minor clergy (c. 2 Ap).

A bishop should ordain priests and deacons within his diocese and districts and settle everything with judgment (c. 9 Antioch).

29. Zonaras believed that the years of penance were known only through tradition and not from a previous canon; later on, digamists were penanced with one year and trigamists with three to five years. Some theologians (e.g., Lambert, Van Espen, Hefele) believed that the misuse of *economia* in this canon and in the canons mentioned in the three entries that precede it, led to the commutation of the primitive penance and the rise of indulgences in the Roman Church, which caused "no small collapse of the penitential discipline." (NPNF 2.14: 80).

A *chorepiscopos* (bishop-vicar or auxiliary bishop) is ordained by the bishop of the city—that is, the metropolitan (c. 10 Antioch).

Those who were not blessed by the bishop through the laying on of hands may not catechize unbelievers, either in churches or in private houses (c. 26 Laodicea).

A bishop must appoint a steward or *economos* of his see so that the goods of the church may not be squandered nor reproach be brought upon priesthood; if the bishop does not do this, he shall be subject to the divine canons (c. 26 IV).

Offerings not made at the altar should be taken to the house of the bishop and priest to be shared with other clergy (c. 4 Ap).

The bishop's personal property should be separated from that of the diocese, and the priests and deacons should be cognizant of this. The bishop may leave his personal property through a last will or testament to whomever he wants (c. 40 Ap; c. 24 Antioch), though he may not leave his property to the heterodox; otherwise, anathema will be pronounced on him, even after his death (c. 81 Carthage).

The bishop has power over the funds of the church, and he should dispense them with piety and fear of God; however, if he estranges the property of the church or turns it to his private use (beyond what is needed for his maintenance and that of the brethren sojourning with him) or manages it wrongly by giving authority to his relatives and kinsmen without the consent of his priests and deacons, that bishop should submit himself to the judgment of the synod; if the bishop and his clergymen are found guilty, they should be subject to correction, and the holy synod will determine what is right (c. 25 Antioch).

The bishop is required to take care of church property (c. 38, 41 Ap). The administration of church property should be done with the help of an *economos* (c. 26 IV, c. 11 VII).

The bishop should take care of the poor and needy from the church's funds with the help of the priests and deacons (c. 41 Ap).

If a bishop is negligent against the [Donatist] heretics, his neighboring diligent bishops should call his attention in a meeting, and if after six months he does not make any effort to

convert the heretics to the Catholic unity, no diligent bishop should communicate with him (i.e. excommunicated). (c. 123 Carthage).

A bishop should not take care of his own affairs first and foremost and as consequence neglect his diocese (c. 71 Carthage).

The bishop is required to help clergy in need; if he does not do that, he should be excommunicated. If he persists in this, he should be deposed, considered as one who has killed his brother (c. 59 Ap).

A bishop may use part of the church's funds for the brethren to whom he must show hospitality (c. 41 Ap).

A bishop should provide for the foreign clergymen visiting who bring commendatory letters; however, they should be examined, and if they do not preach godliness they may not be received in communion, although they will be supplied with what they need (c. 33 Ap).

A bishop gives to the clergy dismissory letters, c. 17 VI (See, LETTERS, A. DIMISSORY/TRANSFER); to the laypeople in need he gives peace letters, c. 11 IV (See, LETTERS, B. PEACE); to the traveling clergy he gives commendatory letters, c. 12 Ap (See, LETTERS, C. COMMENDATORY) or canonical letters, c. 42 Laodicea (See, LETTERS, D. CANONICAL).

A bishop should make needful provisions for the monasteries under his jurisdiction (c. 4 IV).

A bishop should reclaim church property that has been sold during the vacancy of his see and decide how it shall be reclaimed (c. 15 Ancyra).

A bishop should not engage in business or occupy himself with worldly engagements unless he is called by the law to the guardianship of minors or he has to provide for widows and orphans; whoever transgresses these decrees shall be subject to ecclesiastical penalties (c. 3 IV).

A bishop, and not the secular courts, should settle disputes between clergymen (c. 9 IV).

A bishop has the right to judge the clergy of his diocese (c. 5 I; c. 9 IV; c. 102 VI; c. 14 Sardica).

In judging the people, the bishop should use thorough examination and just cause (c. 5 I; c. 4 VII).

A bishop should attend twice a year the meetings of the synod at which matters of doctrine are discussed and ecclesiastical disputes are decided (c. 37 Ap; c. 20 Antioch) in order to revise episcopal sentences (second instance of appeal; c. 5 I; c. 20 Antioch) and in order to regulate ecclesiastical affairs (c. 19 IV); if a bishop does not attend, he is to be admonished unless he was prevented by unavoidable business (c. 19 IV) or ill health (c. 19 IV; c. 40 Laodicea).

A bishop should admonish three times those who, despising their own bishop, build a separate congregation—that is, schismatics—before he punishes them with deposition (c. 31 Ap; c. 5 Antioch).

A bishop should summon a clergyman who leaves his parish to return before punishing him with deposition (c. 15 Ap; c. 3 Antioch).

A bishop who baptizes again one who has rightly received baptism, or who does not baptize one who has been polluted by the ungodly, should be deposed (c. 47 Ap); he is to baptize according to the catholic formula ("in the name of the Father, the Son, and the Holy Spirit");[30] if he does not, he should be deposed (c. 49 Ap).

The bishop shall baptize in water by three immersions and not by one immersion only into the death of the Lord; whoever does the latter should be deposed (c. 50 Ap).

The bishop should instruct and baptize reconciled Phrygians (c. 8 Laodicea).

The bishop shall hear the candidates for baptism recite the creed (c. 46 Laodicea).

The bishop, after examination, should give Holy Communion to a dying person (c. 13 I).

The bishop should give Holy Communion to the priests and deacons and not allow deacons to give Communion or allow them to sit among the priests; deacons must abide within the bounds of their rank (c. 18 I).

30. C. 49 Ap gives examples of several wrong formulas—for instance, baptism into three Unoriginated Beings, or three Sons, or three Comforters.

The bishop must partake himself of Holy Communion or give reasons for refusing; if he does not partake and refuses to give a reason, he should be excommunicated (c. 8 Ap).

After the Gospel reading the bishop shall give the sermon; afterward the prayer for the catechumens should be said, then the prayer for those under penance, then three prayers for the faithful, and then the kiss of peace; the laity are to give it to one another and the priests to the bishop, and so the holy oblation is completed (c. 19 Laodicea).

The bishop has the obligation to teach his spiritual children, especially on Sundays, the Orthodox faith (c. 19 VI).

The bishop should receive those who turn away from sin, that is, penitents; otherwise, he should be deposed (c. 52 Ap).

The bishop who does not fast during Great Lent and other prescribed fasts should be deposed unless some bodily infirmity prevents him from fasting (c. 69 Ap).

A bishop should keep his property distinct from that of the church, for it may be that he has a wife, or children,[31] or relatives, or servants; so neither the church suffers any losses caused by him and his relatives nor is the bishop or his relatives injured through the ignorance of the church (c. 40 Ap; c. 24 Antioch).

If the relatives of the bishop are poor, he is to relieve them as he does the rest of the poor, without alienating the goods of the church (c. 38 Ap).

When receiving reconciled Cathari, the bishop must admit in his diocese their Cathari bishop as *chorepiscopos* or priest (c. 8 I).

The bishop has the authority to consecrate myrrh,[32] to consecrate virgins, to consecrate churches, and to pardon penitents (c. 6, 43, 126 Carthage).

31. The Canons of Holy Apostles (collected before 300) and those established at the Regional Council of Antioch (341) reflect the status of clergy in the fourth century, when many, including bishops, were married. Only after the Sixth Ecumenical Council (692) were bishops required after their consecration to no longer live with their wives, to basically discontinue their marriage (see c. 12 VI). Thereafter, bishops were elected from the ranks of monastics.

32. In modern times the consecration of the myrrh is done by the head of the Church in concelebration with many diocesan bishops. Over the years, this consecration

A bishop has the authority to issue decrees of ordination to those whom he ordains (c. 89 Carthage).

A bishop has the authority to reduce (through *economia*) or to extend (through *akriveia*) penances and to pardon penitents who sincerely show remorse for their sins (c. 12 I; c. 16 IV; c. 102 VI; c. 2, 5, 7 Ancyra; c. 6, 43 Carthage; c. 1, 74, 84, 85 Basil the Great; c. 5, 7 Gregory of Nyssa).

F. Privileges of a bishop

Among the bishops, the first in honor (*protos*) should be the one who was ordained first (c. 86 Carthage).

A bishop should receive, along with the priests, deacons, and other clergy, a share of the offerings not made at the altar (c. 4 Ap).

The bishop is supported from the funds of the church (c. 41 Ap; c. 25 Antioch).

In practicing hospitality, a bishop may use the funds of the church (c. 41 Ap).

When in need, a bishop must be supplied with necessities by the brother clergymen (c. 59 Ap).

A bishop may bequest his property to whomever he wants (c. 40 Ap; c. 24 Antioch).

At a bishop's death, his property is not to be seized for the Church; the clergymen responsible for such seizure shall be in danger of degradation from their own rank (c. 22 IV).

If a bishop may not be degraded (i.e., demoted) to the rank of a priest, he is to be either altogether deposed or restored to his former rank (c. 29 IV).

A bishop displaced by Nestorius or his followers is to be restored (c. 3 III).

A bishop who has not been received by his diocese may retain his rank (c. 36 Ap), and if he wants, he may resume his position as priest (c. 18 Ancyra).

If personal attendance is difficult, a bishop may give his written consent to the ordination of a bishop (c. 4 I; c. 19 Antioch).

A bishop partakes of Holy Communion in the altar (c. 19 Laodicea).

of myrrh came to be seen as an attribution of the head (primate) of each autocephalous church.

Clergymen are forbidden to insult their bishop; those doing so should be deposed (c. 55 Ap).

Priests are not to enter the altar and sit down before the entrance of the bishop unless the bishop is sick at home or absent (c. 56 Laodicea).

Priests from the countryside may not officiate in a city church when the bishop and the city priests are present; however, they may officiate when the latter are absent (c. 13 Neocaesarea).

The *chorepiscopoi* may officiate in a city church (c. 14 Neocaesarea).

Deacons are ministers of the bishop and inferiors of the priest (c. 18 I).

A bishop who has been steadfast throughout the persecutions, though forced to appear otherwise, is entitled to all his former privileges (c. 3 Ancyra).

A bishop who has a complaint against his metropolitan may make it to the exarch of the archdiocese or before the throne of Constantinople (c. 9, 17 IV).

G. Things forbidden to a bishop

A bishop should not divorce his wife under the pretext of piety (c. 5 Ap).

A bishop may not marry after ordination (c. 26 Ap).

A bishop may not abstain from marriage except for discipline[33] (c. 51 Ap).

A bishop may not have any woman dwelling with him, with the exception of close relatives or other people beyond any suspicion (c. 3 I). See also *SUBINTRODUCTA*.

A bishop may not take baths with women (c. 30 Laodicea).

A bishop should not engage in worldly business; otherwise, let him be deposed (c. 6, 81 Ap) unless he is called by the law to the guardianship of minors (c. 3 IV).

A bishop may not serve in the army and also retain the priestly office; if he does so, he should be deposed (c. 83 Ap).

33. Until the Six Ecumenical Council (692) all ranks of the major clergy (deacons, priests and bishops) could be married. Canon 12 of this Council discontinued the practice of recruiting bishops from married clergy and instead promoted the celibate of the bishops. So, a part of canon 51 Apostolic was overturned by canon 12 VI. See also the explanation at the footnote 103.

A bishop may not accept a military charge or any secular dignity; if he does so, he should be punished with anathema (c. 7 IV).

A bishop may not exact usury from other people; if he does so, he should be deposed and his name stricken from the sacerdotal list (c. 44 Ap; c. 17 I; c. 4 Laodicea).

A bishop who endorses businesses or secular affairs should be deposed; however, he is allowed to endorse philanthropic or church endeavors (c. 20 Ap).

A bishop is not allowed to read false and heretical books in church as Scripture; if he does so, he should be deposed (c. 60 Ap).

A bishop is not allowed to compose or use another creed than the Nicene Creed; if he does so, he should be deposed (c. 7 III).

A bishop is not allowed to join in prayer[34] with heretics or schismatics; if he does so, he should be excommunicated (c. 45 Ap; c. 33 Laodicea).

A bishop may not allow heretics to perform any clerical office; if he does so, he should be deposed (c. 45 Ap).

Similarly, if a bishop admits the baptism or the sacrifice (i.e., the Eucharist) of heretics, he should be deposed (c. 46 Ap).

A bishop may not attend or communicate at the services of heretics in cemeteries or martyries; if he does so, he should be excommunicated for a time; if he repents and confesses, he shall be received back (c. 9 Laodicea).

A bishop may not receive portions sent from the feasts of the Jews or heretics nor feast together with them (c. 37 Laodicea).

A bishop may not enter into a synagogue of the Jews or heretics to pray; if he does so, he should be deposed (c. 64 Ap).

A bishop is not allowed to feast with the heathen (c. 39 Laodicea).

34. Here *joining in prayer* means concelebrating and sharing the holy things, even if those are not Holy Communion but antidoron, for example; c. 33 Laodicea points to the sharing of the *eulogiae*. An interfaith gathering in which an Orthodox bishop may say an opening or closing prayer does not meet the requirements of the canons mentioned here (c. 45 Ap; c. 33 Laodicea). See also *EULOGIAE*.

A bishop is not allowed to join in prayer with schismatics (c. 2 Antioch; c. 33 Laodicea).

A bishop is not to submit himself to the bishops who apostatized or shall thereafter apostatize (c. 3 III).[35]

A bishop is not allowed to communicate with the excommunicated; if he does so, he shall be excommunicated (c. 10 Ap; c. 2 Antioch).

A bishop who obtains possession of his diocese through secular rulers should be deposed and excommunicated, and all those who communicate (i.e. accept him as legitimate) with him (c. 30 Ap).

A bishop should cease to communicate with a clergyman who is celebrating Easter (Pascha) at the same time as the Jewish Passover; if he does so, he will be deposed (i.e., defrocked) and deprived of any external honor (c. 1 Antioch).

A bishop is not allowed to commune with a clergyman who after his deposition meddles with his former ministry; if he does so, he should be cast out of the church (i.e., defrocked; c. 4 Antioch).

A bishop should not deprive anyone of communion unless documentary evidence is provided (c. 133 Carthage; c. 6 Theophilos of Alexandria).

A bishop may not receive under his jurisdiction clergymen who are suspended or deposed for leaving their own parishes; if he does so, the bishop should be excommunicated (c. 16 Ap; c. 3 Antioch).

A bishop may not restore a priest or a deacon properly suspended (i.e., excommunicated) by another bishop unless the latter dies (c. 32 Ap; c. 5 I).

A bishop should not receive and ordain one who has seceded (i.e., separated) from another bishop; if the bishop ordains such a person, the ordination is void (c. 16 I).

A bishop may not receive a clergyman of another bishop; if such a thing is done, both the received and the receiver shall be excommunicated until such time as the clergyman returns to his own parish (c. 20 IV).

35. C. 3 Ephesus refers to the apostasy of Nestorius but could be applied to any heresy.

A bishop may not receive people excommunicated by another bishop unless they have been restored by their own bishop or by the synod; otherwise, both the received and the receiver should be excommunicated. If the received was already excommunicated, let the time of his or her excommunication be lengthened (*akriveia*; c. 12 Ap; c. 6 Antioch).

A bishop who ordains candidates in another eparchy without the approval of the local bishop should be deposed (c. 35 Ap; c. 13 Antioch).

A bishop who ordains someone from another eparchy without the approval of the bishop of that eparchy should be admonished (c. 15 Sardica).

A bishop is not allowed to extend his authority over churches belonging to other dioceses (c. 35 Ap; c. 2 II; c. 8 III; c. 17 VI; c. 13 Antioch; c. 56 Carthage).

Without invitation, a bishop should not go to other dioceses in order to ordain and administer affairs; if he does so, he should be deposed (c. 13, 22 Antioch; c. 2 II; c. 20 VI; c. 18 Ancyra; c. 3, 11 Sardica).

If a bishop receives clergymen from other eparchies without canonical letters, he should be excommunicated (c. 16 Ap; c. 16 I; c. 20 IV; c. 18 VI; c. 3 Antioch; c. 13 Sardica; c. 54, 80, 90 Carthage).

A bishop is not allowed to leave his chief cathedral and go to another church in the diocese (c. 71 Carthage).

A bishop may not leave his diocese and enter another one except under special circumstances and by special request; the special request should be the expression of the judgment of many bishops—that is, a decree of the synod (c. 14 Ap).

A bishop may not leave his diocese unless he is driven by necessity from his own country (c. 20 IV).

A bishop may not leave his diocese without exception; if he does so, the proceedings shall be utterly void, and the bishop should be restored to the diocese from which he came (c. 15 I; c. 5 IV; c. 21 Antioch).

A bishop may not act beyond his diocese; if he ordains someone outside his diocese, he and the ordained should be deposed (c. 34, 35 Ap; c. 15 I; c. 22 Antioch).

A bishop may not act beyond his own diocese without invitation (c. 2 II).

A bishop may not act in another diocese unless he received a written invitation from the metropolitan and the bishop of that other province; if he ordains someone or becomes involved in the affairs of other diocese without permission, his acts shall be void, and he will be deposed by the synod (c. 13 Antioch).

A bishop may not do anything extraordinary without the consent of the presiding bishop (c. 34 Ap) or of the metropolitan (c. 9 Antioch).

A bishop may not address the emperor without the consent of his metropolitan and fellow bishops; if he does so without obtaining consent, he should be excommunicated (c. 11 Antioch).

Bishops may not be appointed in villages or country districts; but if some have been appointed[36], they are not to do anything without the consent of the bishop of the city (c. 57 Laodicea)

A bishop may not take candles or oil from the church; if he does so, let him be excommunicated, and let him restore a fifth part more than he took (c. 72 Ap).

A bishop is not allowed to appropriate consecrated vessels and covert them to private use; if he does so, he should be excommunicated (c. 73 Ap).

A bishop is not allowed to appropriate ecclesiastical property for himself or his relatives (c. 38 Ap). See also PROPERTY OF THE CHURCH.

The bishop is not allowed to sell the property of the church without the knowledge of the synod and of his presbyters (c. 33 Carthage).

The bishop may not alienate (sell, exchange, lease, etc.) any property of the church, either to secular princes or to any person; he may not appropriate any part for himself or confer upon his relatives things that belong to God. If he does so, the bishop should be turned out of his bishopric; the

36. The canon is curbing the appointment of bishops in villages and country districts, and if such a thing was done, they were to report to the bishop of the city. In modern times high ranking priests called vicars are acting in districts of the diocese under the strict control of the bishop.

legal transactions of transfer of property shall be null, and the property shall be restored to the bishopric (c. 12 VII).

A bishop is not allowed to employ his own servants or relatives in the administration of church funds; if he does so, he should submit himself to the investigation of the synod of the province (c. 25 Antioch).

A bishop should offer at the altar what the Lord ordained for the sacrifice (bread and wine); besides that, he may not offer anything else, with exception of new ears of corn and clusters of grapes[37] according to the season; if he breaks this rule, he should be deposed (c. 3 Ap).

A bishop is not allowed to celebrate Easter (Pascha) before the vernal equinox, or at the time with the Passover of the Jews[38]; if he does so, he should be deposed (c. 7 Ap; c. 1 Antioch).

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37. The canon mentions as permissible offerings new ears of corn and clusters of grapes. The grapes are brought to the church for blessing on the feast of Transfiguration (August 6) and as they are first fruits, no one is supposed to eat grapes before they are blessed in the church. As for new ears of corn, it is quite interesting how the editors of NPNF 2.14 adapted the Greek term for 'blades of wheat' to the expression better understood in the West, 'ears of corn.' (See, NPNF 2.14: 594). The *Rudder* translated the Greek term by 'ears of new wheat' or 'sheaves of green wheat.' (See, *Rudder*: 5) One just needs to recall that corn was not known to Europe before the 15th century, when Christopher Columbus brought it from America. The offering of blades of wheat is also considered first fruits, and so they need to be brought to the church for blessing at the time of their ripening; this blessing is not tied to a specific feast of the Church. For consistency, I kept the expression 'ears of corn' even though this is not an accurate translation.

38. The date of Easter/Pascha for a specific year was determined by the date of Passover. Originally, Passover was celebrated on the first full moon after the vernal equinox. Scriptural references (especially the Gospel of John) point to the crucifixtion just before the Passover of the Jews and the resurrection after the Passover. The First Ecumenical Council of Nicea (325) decided that Easter/Pascha should be celebrated after the vernal equinox, on the first Sunday after the full moon and after the Jewish Passover. This last criterion was sternly underscored in the Letter of Emperor Constanitine to all those who were not present to the Council (see NPNF 2.14: 54-55). The Hebrew Pesach (Passover), the most celebrated event in the history of the Jews, is tied chronologicaly and theologicaly to the most celebrated event in history for Christians, the Resurrection of Christ, the day of resurrection called in Greek *Pascha*, in Latin *Pascha*, in French *Paques*, in Italian *Pasqua*, in Spanish *Pascua*. The correspondent English word Easter comes from the name of the Anglo-Saxon goddess *Eostre*, who was celebrated at the same time as Pascha.

A bishop is not allowed to rebaptize one who has received true baptism or to refuse to baptize one who has been polluted by the ungodly (heretics and schismatics); if he does so, he should be deposed (c. 47 Ap).

A bishop may not make the oblation in a private house[39] (c. 58 Laodicea).

A bishop may not receive a second ordination unless the first was void, having been done by heretics; otherwise, both the ordainer and the ordained should be deposed (c. 68 Ap).

A bishop may not commit simony—that is, receive or give an ecclesiastical dignity in exchange for money. If he does so, both the ordainer and the ordained should be deposed (c. 29 Ap).

A bishop may not put to sale a grace which may not be sold; any ordination or appointment done for money should be without effect, and the ordainer shall forfeit his rank (i.e., be subject to degradation; c. 2 IV; c. 22 VI).

A bishop is not allowed to seize a vacant see; if he does so, he should be cast out (i.e., deposed) by the full synod, even if all the people of the new jurisdiction choose him (c. 16 Antioch).

A bishop may not ordain one of his relatives to the episcopate or bequest his see to one of his heirs; if a bishop does that, the ordination should be void and the ordainer should be excommunicated (c. 76 Ap).

A bishop may not appoint his successor; only the synod may do that. If someone presumes to do any such thing, the ordination shall be void (c. 23 Antioch).

A bishop is not allowed to ordain a neophyte, for the neophyte needs a time of probation; the ordainer of the neophyte will imperil his own clerical position as a clergyman who disobeys the great synod (c. 2 I).

If a bishop abstains from flesh (meat) and wine not because of religious restraint but because he abhors them, let him be corrected or else be deposed (c. 51 Ap).

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39. Since the Oblation/Proskomide (preparation of the Holy Gifts) is only done in the context of a Divine Liturgy (when the gifts are sanctified), this then means that the bishop is not allowed to perform the Divine Liturgy in a private house, but only in a sanctuary.

A bishop who does not partake of flesh and wine on festival days because he abhors them and not out of religious restraint should be deposed (c. 53 Ap).

A bishop may not eat flesh with the blood, or the flesh of an animal that has been slain by beasts or died a natural death; if he does so, let him be deposed (c. 63 Ap).

A bishop should not fast on Sunday or on any Saturday except Holy Saturday; if he does so, he should be deposed (c. 66 Ap).

A bishop is not allowed to join clubs dedicated to drinking and entertaining (c. 55 Laodicea).

A bishop shall not eat in a tavern unless he is on a journey; if he does so, he will be excommunicated (c. 54 Ap).

If a bishop is invited to a love feast, he is not allowed to take away his portion (c. 27 Laodicea).[40]

A bishop should not attend plays at weddings and banquets (c. 54 Laodicea).

A bishop is forbidden to castrate himself; if he does so, he should be deposed (c. 23 Ap; c. 1 I).

A bishop is not allowed to strike the faithful who have sinned or the unbelievers who have done wrong; if he does so, he should be deposed (c. 27 Ap). See also STRIKE/BLOW.

If deposed, a bishop should not become involved in his former ministry; if he does so, he will be altogether cut off—that is, be subject to major excommunication[41]—from the Church (c. 28 Ap; c. 4 Antioch).

A bishop is not allowed to insult a priest or a deacon; if he does so, he should be excommunicated (c. 56 Ap).

A bishop is not allowed to insult the emperor or a magistrate (i.e., civil authority); if he does so, let him be deposed (c. 84 Ap).

A bishop is not allowed to mock the infirm; if he does so, he should be excommunicated (c. 57 Ap).

If the bishop neglects the clergy or the people and does not instruct them in the way of godliness, let him be

40. Taking away the leftovers from an agape may show covetousness and may bring shame on the order.

41. See also EXCOMMUNICATION (MAJOR)

excommunicated; if he persists in his negligence and idleness, let him be deposed (c. 58 Ap).

If a bishop through the fear of men denies the name of Christ, let him be cast out. If he denies the name of a clergyman, let him be deposed, and if he repents, let him be received as a layman (c. 62 Ap).

A bishop should not misuse his power of excommunication; in case of misuse, the provincial synod may act as a court of appeal (c. 5 I).

A bishop is not allowed to obtain an imperial rescript—that is, appeal to the civil authorities—to divide a province; a bishop who does that should be degraded from his rank (i.e., demoted; c. 12 IV).

If a duly elected bishop is not received by the diocese, he is not allowed to invade other dioceses; if he does so, he should be suspended from office and excommunicated. On the contrary, if he does not meddle in the affairs of other dioceses and he wants to be a presbyter, he should be allowed to hold that position (c. 18 Ancyra; c. 18 Antioch).

A bishop is not allowed to take up the life of a hermit, because "he is called to lead and not to be led"; if a bishop wants to live a full monastic life, he must renounce the archieratical dignity (c. 2 Constantinople [Holy Wisdom]).

As a rule, a bishop may not resign (c. 3 Cyril of Alexandria). See also RESIGNATION.

A bishop is not allowed to practice magic, enchantment, mathematics,[42] or astrology, or to make and wear phylacteries (i.e., amulets); if he wears such, he should be cast out of the Church (i.e., excommunicated; c. 36 Laodicea).

H. Trial of a bishop

The accusers of a bishop must be trustworthy (c. 74 Ap) and should be examined as to their character (c. 21 IV). They must not themselves be under accusation of nor condemnation for offenses or under sentence of excommunication (c. 6 II). Heretics should not be accepted as accusers of a bishop (c. 75 Ap), nor should schismatics (c. 6 II). Again, an accusation

42. "Mathematicians" are those who hold the opinion that the celestial bodies rule the universe and that all earthly things are ruled by their influence, as Zonaras explained in his commentary to this canon.

or charge can be raised against the bishop only by virtuous people (c. 74 Ap); the bishop may not be charged by heretics, schismatics, the anathematized, the excommunicated, the immoral ones, or those who are themselves accused (c. 6 II; c. 21 IV; c. 8, 128, 129 Carthage).

If the accusers are faithful, one witness is not enough; two or three witnesses are required: "in the mouth of two or three witnesses, every word shall be established" (c. 75 Ap). Two or three witnesses are needed, especially when the charge is one of sexual sin (c. 2 I).

Those who complain of personal wrong done to them by the bishop may be of any religion (c. 6 II).

False accusers of a bishop are to suffer the penalty to which he would have been liable had the charge been proved (c. 6 II).

A bishop is tried by the provincial synod, not by the civil courts or the Ecumenical Synod (c. 9 IV; c. 14 Antioch). If an accusation is lodged against the bishop, the bishop should be judged by the synod (c. 74 Ap; c. 9, 17 IV; c. 15 Antioch; c. 3 Sardica). See also ECCLESIASTICAL COURT; APPEAL.

A bishop accused of offenses is summoned before the synod (c. 74 Ap); a bishop misappropriating church funds is to be judged by the synod (c. 25 Antioch). He is to be summoned a second and a third time, if necessary; if he fails to appear on the third summons, he is to be tried, judged, and sentenced *in absentia* by the synod (c. 74 Ap).

If the bishops of a province cannot agree on the verdict following the trial of a bishop, the metropolitan is to call some bishops from neighboring provinces to rehear the case (c. 14 Antioch).

A bishop may not be deposed by two or three bishops (c. 1 Constantinople [394]). A bishop who appeals a sentence of deposition before the emperor (i.e., civil authorities) rather than the synod may not be restored, nor may his cause be reheard by a synod (c. 12 Antioch). A bishop may not appeal the unanimous decision of the provincial synod (c. 15 Antioch). See also ACCUSERS.

A bishop who moves from a smaller eparchy to a bigger one through dishonest means should be sentenced so severely that

he "should not receive even lay communion at the last" (c. 1, 2 Sardica).

I. Penalties to be inflicted on a bishop

See SUSPENSION OF A BISHOP, DEMOTION/DEGRADATION, DEPOSITION (REASONS FOR), EXCOMMUNICATION OF A BISHOP, ANATHEMA, METROPOLITAN.

J. General regulations concerning a bishop

A bishop may not be received in a diocese without commendatory letters; even with those, he should be examined as concerning godliness (c. 33 Ap).

A bishop who refuses to undertake his ministry and to take care of the people entrusted to him should be judged by the synod and excommunicated (c. 36 Ap; c. 17 Antioch).

The bishops of every nation should acknowledge him who is the first among them and do nothing without his consent; but neither let him who is the first do anything without the consent of all, for so there will be unanimity (i.e., conciliarity; c. 34 Ap).

The bishop of the metropolis is to be acknowledged as the head of the bishops of the province (i.e., diocese; c. 9 Antioch).

A bishop deposed for celebrating Easter (Pascha) on the same date as the Jewish Passover, before the vernal equinox, is to be cast out of the Church (i.e., anathematized) and deprived of the external honor of the priesthood (c. 1 Antioch).[43]

If the wife of a bishop commits adultery, he must divorce her or desist from his ministry (c. 8 Neocaesarea).

BLEMISH: A bodily blemish does not disqualify one from the episcopate (c. 77 Ap).

BLIND: If a man is blind or deaf, he may not be made a bishop (c. 78 Ap). Clergy and laity who mock a blind person should be excommunicated (c. 57 Ap).

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43. Some traditionalist clergy believe that, as a matter of fact, the entire clergy and laity of the West fell under the anathema of this canon after the introduction of the Gregorian calendar, specifically for the years when they celebrate Pascha on the same date as the Jewish Passover and the years when they celebrate Pascha before the Jewish Passover.

BLINDNESS: Total blindness is a disqualification for the episcopate (c. 78 Ap). Partial blindness does not disqualify one from the episcopate (c. 77 Ap).

BLOOD: If anyone on the sacerdotal list eats flesh (meat) with the blood of the life thereof, or anything killed by beasts, or an animal dead by itself, let him be deposed (c. 63 Ap; c. 2 Gangra).

BODILY SIN: See SIN.

BOOK: The singers (*psaltes*) are to sing from a book (c. 15 Laodicea).

BOOKS: Spurious and heretical books should be not read in the church; the clergyman who does that should be deposed (60 Ap). No psalms composed by private individuals and no uncanonical books may be read in the church, but only the canonical books of the Old and New Testaments (c. 59 Laodicea). The canonical books of the Church are enumerated in c. 85 Ap and c. 60 Laodicea.

BREAD (BLESSED)/ANTIDORON/EULOGIAE: After taking Holy Communion and at the end of the Divine Liturgy, it is traditional to eat a piece of the blessed bread, or antidoron. This is the loaf of bread from which the elements of Holy Communion were extracted; while the antidoron is not Holy Communion, it is bread that has been blessed and as such, it should be eaten carefully, so that no crumbs fall on the floor. Following the incorporation of this tradition, the faithful who deemed themselves unworthy to receive Holy Communion would have a reason to stay to the end of the Divine Liturgy, so as to receive the blessed bread, the antidoron.

The oldest term for the antidoron is *eulogiae*: "Those *eulogiae* which remain at the mysteries, let the deacons distribute them among the clergy, according to the mind of the bishop or the presbyters: to a bishop, four parts; to a presbyter, three parts; to a deacon, two parts; and to the rest of the subdeacons, or readers, or singers, or deaconesses, one part. For this is good and acceptable in the sight of God, that every one be honored according to his dignity; for the Church is the school, not of confusion, but of good order" (AC 8.31).

It was common for the faithful of the early Church to participate regularly in the Divine Liturgy and to be communed; the faithful who "come in and hear the Scriptures, but do not stay to the prayers and Holy Communion, are to be excommunicated, as causing disorder in the Church" (c. 9 Ap).

The person who "comes to the Church, and attentively hears the Holy Scriptures, and then despises, goes forth from, and turns his back upon the Communion, let him be cast out, until after having brought forth fruits of repentance, he shall be indulged" (c. 2 Antioch).

Changes in the frequency of Holy Communion, as well as the interdiction against sending Holy Communion to faraway places (see c. 14, 32 Laodicea), led to the distribution of the antidoron at the end of the liturgy to the communicants present. By the beginning of the fifth century, the practice of receiving the antidoron had become generalized, though catechumens were excluded (c. 8 Theophilos of Alexandria). Pieces from the loaf of bread from which the Lamb was extracted may be eaten only in the church;[44] pieces from the other loaves not used at the *proskomide* may be eaten outside the church, but only by themselves and not with milk, cheese, eggs, or fish (c. 5 Nicholas of Constantinople). Other terms used for antidoron are *anaphora*, *prosphora*, *prescura*, among others.

BREAD (LEAVENED)/PROSPHORA: Loaves of bread are used for the preparation of Holy Communion. In the Greek tradition the loaves are large and shaped from two lumps of dough to symbolize the double nature of Christ, while in the Slavic tradition the loaves are small, usually the size of the seal with which they are imprinted. The loaves of bread are baked by faithful parishioners at home out of four elements: pure flour, yeast, salt, and water. Prayers are to be said during the kneading and before baking.

"Preserve Orthodoxy! Do not offer dead and unanimated [bread], do not restore Judaic [practices], do not introduce the Law once again, do not celebrate with unleavened bread" (St. Symeon). St. Symeon insisted on using the word *artos* (ἄρτος) and not *azimes* (ἄζυμον), quoting Matthew 26:26 to justify the use of leavened bread.

BREAD (UNLEAVENED)/AZYME: Unleavened bread, prepared by the Jews on the eve of Passover and eaten on the Passover in com-

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44. In this context, the Lamb is the central part of the loaf of bread (*prosphora*) that carries the inscription IC XC NI KA and that is removed during the service of oblation, or *proskomide*. This piece represents Jesus Christ and his sacrifice.

memoration of the Exodus from Egypt, when they could not wait for the yeast to rise (Exod. 12:15–18; Deut. 16:4, 8; Matt. 26:17).

Communicants are not allowed to receive unleavened bread (cakes) from the Jews; if clergymen do so, they should be deposed, and if laypeople do so, they are to be excommunicated (c. 70 Ap; c. 38 Laodicea).

BROTHER-IN-LAW: A woman who has married two brothers should be cast out of the Church (i.e., excommunicated) until the hour of death; however, at the hour of death she may be received to penance (c. 2 Neocaesarea).

BROTHERS: Bishops should not ordain their own brothers in the episcopate; if anyone does so, the ordination should be void, and the ordainer should be punished with excommunication (c. 76 Ap).

The bishop may not employ his brothers in the management of church funds; if he does so, he should be investigated by the synod (c. 25 Antioch).

BUSINESS: Bishops, priests, and deacons are not allowed to engage in worldly business; if they do, they should be deposed, "for no man can serve two masters" (c. 6, 81 Ap; c. 3 IV).

A bishop who endorses businesses or secular affairs should be deposed; however, he is allowed to endorse philanthropic or church endeavors (c. 20 Ap). Monks also are banned from worldly businesses; otherwise, they are to be excommunicated (c. 3, 4 IV); the only private business in which clergymen and monks may become involved is the guardianship of minors when the law calls on them to do so (c. 3 IV). Clergymen and monks may engage in ecclesiastical business only with the approval of the bishop; otherwise, clergymen should be deposed, and monks should be excommunicated (c. 3, 4 IV).

The practice of any business (such as selling food, drinks, or any other products) in the narthex or in the courtyard of the church is not allowed; anyone who dares to do this should be excommunicated (c. 76 VI).

CALUMNY: If a charge against a clergyman is proved false and the person making the charge is a calumniator, that person should be excommunicated (c. 19 Carthage). Calumny should be punished with the same punishment that would have come upon the accused if the charge were true (c. 6 II).

CANDIDATES: Candidates for baptism are not to be received after the second week of Great Lent (c. 45 Laodicea).[45] Candidates must learn the creed by heart and recite it to the bishop or the presbyters on Holy Thursday (c. 46 Laodicea; c. 78 VI).

CASTRATION:[46] A eunuch who became so because of the violence of men or through persecution or if he was born so, if in other respects he is worthy, may be made a bishop (c. 21 Ap). See also CASTRATION (SELF).

CASTRATION (SELF): He who has mutilated himself may not become a clergyman, for he is a self-murderer and an enemy of the workmanship of God (c. 22 Ap). If any clergyman mutilates himself, let him be deposed, for he is a self-murderer (c. 23 Ap; c. 1 I); if a layman mutilates himself, let him be excommunicated for three years, as acting against his own life (c. 24 Ap).

Eunuchs may be received into the ranks of clergy, but those who castrate themselves shall not be received (c. 1 I).

CATECHISM: Some of the heretics who came to Orthodoxy were received according to their status; however, in the process, "we initiate them, and we make them spend time in the church and hear the Scripture" (c. 95 VI).

Bishops and priests have the duty to catechize the people (c. 58 Ap). Priests have the duty to instruct "the children and others of the household" (c. 10 VII). Only those approved by the bishop have the right to catechize unbelievers (c. 26 Laodicea).

CATECHUMEN: The petitions for catechumens should be said after the sermon given by the bishop (c. 19 Laodicea). Then the catechumens are led into the narthex, and the petitions for penitents are said (c. 19 Laodicea).

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45. After a one-year catechism (or a three-year catechism, in some places), candidates give their names at the beginning of Great Lent and participate in the fasting and the services of Great Lent; they are examined on Holy Thursday and baptized during the vigil of Holy Saturday.

46. Castration, volitional or not, was well known before the Christian era. The practice was condemned by the Church and by civil authorities; the emperor Justinian in his 142 New Constitutions punished those who castrate people with exile and confiscation of property; those who helped were given the same punishment See, S. P. Scott, *The Civil Law*, vol. 17, 258-259 or in (http:// www.constitution.org/sps/sps.htm).

Lapsed catechumens are to spend three years as hearers (c. 14 I). If catechumens fall into sin while kneelers, they may be admitted to penance, but if they sin when they are hearers, they should be cast out altogether (c. 5 Neocaesarea).

CATHARI: Cathari, or Novatians, were the followers of Novatianus, a presbyter of Rome and a Stoic who was a catechumen in the Church, became a Christian through clinical (emergency) baptism, and was then ordained as a priest. In the year 251 he induced three bishops to ordain him a bishop and turned against the Church, thus becoming the first "antipope." From schismatic he turned into a heretic, as he condemned the authority of the Church to receive back the lapsed and categorically denied second marriage as valid.

Cathari seeking reconciliation to the catholic Church were required to promise in writing to observe its decrees—particularly, to communicate with digamists and with the lapsed who had been admitted to penance (c. 8 I). Cathari clergy reconciled to the catholic Church retained their orders and their ranks if they were in a region outside of the authority of the catholic bishop; if they were within the authority of a catholic bishop, Cathari bishops would become *chorepiscopoi* or presbyters (c. 8 I). Cathari laypeople were admitted to the catholic Church by chrism through the renunciation of their heresies (c. 7 II; c. 7 Laodicea).

CELIBACY: None of the clergy, except the readers and singers, may marry after ordination (c. 26 Ap), but deacons may marry if at their ordination they declared an intention to do so (c. 10 Ancyra). Among the eligible candidates for ordination can be also celibates, but after ordination they are not allowed to marry (c. 26 Ap; c. 6 VI; c. 6 Basil the Great). A priest who marries is to be deposed (c. 1 Neocaesarea). A deaconess who marries is to be anathematized (c. 15 IV).

The ones who took vows of celibacy (monks and nuns) may not marry; if they do so, they should be excommunicated (c. 16 IV; c. 18 Basil the Great). Those who break their vows of celibacy should fulfill the penance of digamists (c. 19 Ancyra).

Celibacy is not a condition for entering into the clergy: "although the Romans wish that every ordained deacon or presbyter should put away his wife, we wish the marriages of deacons and presbyters to continue valid and firm" (c. 13 VI).

CEMETERIES: Communicants may not attend or communicate at the services of heretics performed in cemeteries and martyries; if they do, they should be excommunicated for a time; if they repent and confess, they should be received back (c. 9 Laodicea).

CENSURE, ECCLESIASTICAL: See ANATHEMA, DEPOSITION, DEGRADATION, EXCOMMUNICATION, EXPULSION, SUSPENSION.

CHALICE (CUP): Deacons who have sacrificed and afterward resumed the conflict (i.e., lapsed) shall enjoy their other honors but shall abstain from every sacred ministry, neither bringing forth the bread and the chalice nor making any proclamations (c. 2 Ancyra).

Country presbyters may not make oblation in the church of the city when the bishop or presbyters of the city are present, nor may they give the bread or the cup with prayer; but if the bishop or the presbyters of the city are absent, then the country presbyters may give them (c. 13 Neocaesarea). A subdeacon must not give the bread nor bless the cup (c. 25 Laodicea).

A clergyman who takes home and uses improperly the chalice or any appointments belonging to the church should be deposed (c. 10 Constantinople I–II). The holy vessels (chalice, paten, asterisk, spear, communion spoon, and the three covers) should always remain in the church (EL 1237).

The chalice should not be blessed at the oblation (*proskomide*) in the same way as is done at the prayer of transformation (μεταβολή; c. 12 Nicephorus the Confessor). A priest should not celebrate the Divine Liturgy without *zeon* (hot water) unless under stress of great necessity and hot water is not available (c. 13 Nicephorus the Confessor). Whoever spills the chalice before the consecration should fast for one week, but if the spilling was done after the consecration, he should fast for forty days (EL 988).

If the priest forgets to pour communion wine into the chalice and discovers this before the Great Entrance, he should interrupt the Divine Liturgy, add wine and cold water to the chalice, saying the appropriate prayer,[47] and he should continue the liturgy from that point on. If he discovers that there is no wine in the chalice after the Great Entrance, then he should interrupt the liturgy, do the obla-

47. The prayer says, "One of the soldiers pierced his side with a spear, and at once came out blood and water."

tion from the beginning, and then continue the liturgy from the point of interruption. Then the priest should confess to his bishop in order to receive the appropriate penance (EL 1241).

If the priest forgot to add cold water to the chalice during the oblation, and he discovers this before the Great Entrance, he should add it with the appropriate prayer; if he discovers that he missed to add water after the Great Entrance, he should not add anymore cold water, but rather add the "heat" (*zeon*). Then the priest should confess to his bishop in order to receive the appropriate penance (EL 1242).

If during the liturgy a fly or a wasp accidentally falls into the chalice before or after the sanctification (μεταβολή), the priest should remove it, wrap it in paper, and then burn it; the ashes should be disposed of in the drain underneath the Holy Table (EL 1249).

If the entire contents of the chalice are spilled, the priest should recover and dispose properly of the elements of the spill and then appoint someone to read from the Scriptures or the lives of the saints. Then he should pour wine and water into the chalice and in silence celebrate the oblation from the point "And one of the soldiers pierced his side with a spear . . . ," then continue with the prayers of the transformation; then he will commune the faithful. After this great trial, the priest must confess with tears to his bishop in order to receive penance; if he fails to confess and the bishop learns about the accident, the priest is to be defrocked (EL 1252).

When many people come to Holy Communion and more than one chalice is needed, only the parts of the Lamb marked with the symbols NI and KA should be put in the second chalice; the parts extracted for the commemoration of the Theotokos, of the nine orders of the saints, and of the living and the dead should remain on the paten until after the distribution of Holy Communion and should not be given to the faithful in place of the Body of Christ. If it seems that there is not enough Holy Communion for all the people, the priest may take some parts from the reserved sacrament (EL 1267).

After the distribution of Holy Communion, the priest is required to put the particles in the chalice and to make sure that no particles remain on the antimension or on the sponge. After the consumption of the remains of Holy Communion (*katalixis*), the priest should ensure that the chalice is cleansed and dried and that

the vessels are placed in order and covered, so that no dust or other impurities fall upon them (EL 1259).

CHAPEL: See ORATORY/PRAYERHOUSE.

CHARGE/ACCUSATION: A claim against a bishop should be directed to the metropolitan or the archbishop, the president of the synod to which the bishop belongs (c. 6 Ap; c. 19 Carthage). The person claiming an injustice by a bishop is obliged to prove it. If unable to prove it, he or she will be judged as a calumniator (c. 6 II; c. 19 Carthage).

In secular matters, any person may lodge a claim against a clergyman; however, in ecclesiastical matters only people of faith may lodge claims. Heretics, schismatics, the anathematized, the deposed (or suspended), the excommunicated, those living in sin, and the condemned may not lodge claims against clergymen (c. 6 II; c. 21 IV; c. 74 Ap; c. 8, 29 Carthage). In the same category are those who lack civil rights and those known for their scandalous behavior—"that slaves and freedmen and all infamous people ought not to bring accusation" (c. 129 Carthage).

A person who has lodged more than one claim against a clergyman and has failed to prove one should be denied the right to sustain the others (c. 130 Carthage). The one claiming that an injustice has been committed by a bishop should be ready to sign a statement that, if the bishop is found innocent and thus the accuser is shown a calumniator, the accuser will accept the same sanction the bishop would have if guilty (c. 6 II; c. 19 Carthage).

In order for a claim to be accepted, the accusation should be open and not hidden or secret (c. 28 Ap). A claim raised against any person should be seriously investigated (c. 6 Theophilos of Alexandria).

The claimant or the defender may ask that the trial be moved to another city for reasons that may affect impartiality (c. 30 Carthage).

An accusation of fornication, adultery, or any other forbidden act brought against a communicant, if proved, disqualifies him for ordination (c. 61 Ap).

CHARGES BROUGHT AGAINST CLERGYMEN: See ACCUSERS, CLERGY.

CHARITY: The tradition of the Church promotes charity: "We bless the exceeding charities done by the brethren to the poor, according to the traditions of the Church" (c. 21 Gangra).

CHARMS: See PHYLACTERIES.

CHILDREN: The children of a bishop are to be provided for from his private property (c. 40 Ap). Readers and singers are not allowed to marry heterodox, but if they are already married to a heterodox and they have already begotten children in the marriage, they must bring them into communion with the catholic Church (c. 14 IV).

Children of communicants should not be given in marriage to heretics (c. 10 Laodicea) unless such heretics promise to become Christians (c. 31 Laodicea).

Parents who forsake or neglect their children under the pretense of asceticism should be anathematized (c. 15 Gangra). Children who forsake their parents on the pretense that they honor piety more than them should be pronounced anathema (c. 16 Gangra).

Children about whom no records or knowledge shows that they have been baptized should be accepted for baptism (c. 72 Carthage).

Children born out of wedlock or from a second or third marriage of their parents and who are found worthy for ministry should be ordained (c. 8 Nicephorus the Confessor).

A woman who is pregnant should be baptized whenever she wants (c. 6 Neocaesarea).[48]

CHOREPISCOPOS: A *chorepiscopos* (bishop-vicar or auxiliary bishop) was a country bishop working under the direct supervision of the bishop of the city; eventually, the *chorepiscopoi* were given greater prerogatives and were called auxiliary bishops.

A *chorepiscopos* is to be appointed by the bishop of the city to which he is subject (c. 10 Antioch).

With the approval of the bishop, a *chorepiscopos* may ordain exorcists, readers, and subdeacons (c. 10 Antioch; c. 14 VII). A *chorepiscopos* may ordain priests only with the written approval of the bishop (c. 13 Ancyra; c. 89 Basil the Great). If he ordains without the approval of the competent bishop, he should be deposed (c. 10 Antioch).

48. The canon mentions the existence of one will in the profession of faith. This canon rejects the theory that at the baptism of the pregnant woman, the unborn child is also baptized.

Chorepiscopoi are indeed after the pattern of the Seventy, and on account of their devotion to the poor, they have the honor of making the oblation (c. 14 Neocaesarea). A *chorepiscopos* may give letters of peace (c. 8 Antioch).

A *chorepiscopos* is forbidden to commit simony; if he does so, he should be deposed (c. 2 IV).

A *chorepiscopos* shall not perform any church function without the approval of the competent bishop (c. 57 Laodicea; c. 89 Basil the Great).

A bishop of the Cathari who has been reconciled to the catholic Church may be appointed as a bishop, but if there is already a bishop of the Church there, he may be appointed a *chorepiscopos* or priest (c. 8 I).

CHRISM: See MYRRH.

CHRISMATION: The sacrament of chrismation, or anointing with holy myrrh, has its scriptural roots in Acts 2:16–21, 2:38; John 7:37–39; and 2 Corinthians 1:21–22: "But it is God who establishes us with you in Christ, and has commissioned us; he has put his seal upon us and given us his Spirit in our hearts as a guarantee." The tradition of the Church speaks of holy myrrh as being prepared for the anointing of Christ's body at his funeral and afterward (Luke 23:56, 24:1).

Administered immediately after baptism, chrismation pours upon the newly baptized the gift of the Holy Spirit. In its beginning, the sacrament was administered by the Holy Apostles through the laying of hands upon those who received baptism (Acts 8:14–18). Eventually, the laying on of hands was replaced by anointing with holy myrrh.

The apostolic succession gave the bishops, as heirs in faith and grace of the Holy Apostles, the right to prepare and bless holy myrrh; holy myrrh imparts the same grace as that dispensed by the laying on of hands. Holy myrrh may not be prepared by presbyters (c. 6 Carthage).

The formula "The seal of the gift of the Holy Spirit" is mandatory and is mentioned in the canons (c. 7 II). Anointing with holy myrrh is performed by bishops and priests; no other member of the clergy or laity is allowed to administer it (AC 7.22). Anointing with holy

myrrh should be done on the forehead, eyes, nostrils, mouth, and ears (c. 7 II; c. 95 VI).

In the Roman Catholic Church, anointing with holy myrrh is done only on the forehead (c. 780 *Codex juris canonici*). The same canon establishes that in the Roman Catholic Church only the bishop may anoint a candidate; a priest may anoint with holy myrrh only in extraordinary circumstances and only with the approval of the bishop (c. 780, para. 2 *Codex juris canonici*).

Those who are baptized must be anointed after baptism with the heavenly chrism and be partakers of the kingdom of Christ (c. 48 Laodicea). In the Orthodox Church, the sacrament of chrismation is performed independently of the sacrament of baptism for those candidates whose baptism is recognized as valid but incomplete. The incompleteness is a consequence of their distancing from the teachings of the Orthodox Church and consequently missing the gifts of the Holy Spirit. By renouncing the wrong teachings (i.e., heresies) and being anointed with holy myrrh, the candidates become (some of them, again) members of the Orthodox Church (c. 7 II; c. 95 VI; c. 7 Laodicea; c. 57 Carthage).

The preparation of holy myrrh was one of the prerogatives of the local bishop but eventually became the right of the autocephalous churches, as the Ecumenical Councils established hierarchies among the churches and clear lines of administration (c. 2 II; c. 8 III; c. 28 IV; c. 30, 39 VI). See also AUTOCEPHALY, MYRRH.

CHURCH: "We reverence the houses of God and embrace the assemblies held therein as holy and helpful, not confining the religion within the houses, but reverencing every place built in the name of God" (c. 21 Gangra).

Those who misappropriate the fruits offered to the Church should be anathematized (c. 7, 8 Gangra). All those who come to the church and hear the Scriptures but do not stay for the prayers and Holy Communion are to be excommunicated as causing disorder in the Church (c. 9 Ap; c. 2 Antioch).

Heretical and spurious books are not to be read in church; a clergyman who does that should be deposed (c. 60 Ap). No psalms composed by private individuals nor any uncanonical books may be read in church (c. 59 Laodicea).

Only the canonical singers may sing in church, and they should sing from a book (c. 15 Laodicea).

Only those appointed by the bishop may catechize in churches or in private houses (c. 26 Laodicea); country priests are not allowed to officiate in the city church in the presence of the bishop or the city priests; however, if the latter are absent, the country priests may officiate (c. 13 Neocaesarea).

Heretics are not permitted to enter the house of God while they continue in heresy (c. 6 Laodicea).

If any bishop obtains possession of a church with the aid of the civil authorities, he should be deposed and excommunicated, along with all who communicate with him (c. 30 Ap).

It is not permitted to hold parties, agapes, or love feasts in the church, nor to eat or to spread couches. Anyone who does so should be excommunicated (c. 42 Carthage; c. 74, 86 VI).

Cattle should not be led into the holy halls (i.e., churches) unless a great necessity compels it. Clergy who do so should be deposed, while a layperson should be excommunicated (c. 88 VI).

If anyone teaches that the house of God and the assemblies held therein are to be despised, that one should be pronounced anathema (c. 5 Gangra).

A church stained by heretics can be taken by the Orthodox only after consecration (answer to question 4, Theodore of Studium).

The ordinations of clergymen should be done for a specific church (parish), chapel, or monastery and not at large (c. 6 IV).[49] In organizing its territorial-administrative units (parishes, dioceses, etc.), the Church follows the political and economic divisions of the country (c. 17 IV; c. 38 VI). The organization of a national church is acceptable (c. 34 Ap).

Bishops are not allowed to extend their authority over churches belonging to an eparchy other that their own (c. 2 II). A bishop without a see is not allowed to take over a vacant church without the approval of the synod presided over by the metropolitan; even if the people of the vacant church eventually want to keep him, still he should be ejected from that position (c. 16 Antioch).

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49. Hefele believed that at the Fourth Ecumenical Council (Chalcedon, IV), those ordinations were considered illicit yet valid; consequently, they were without effect, which meant that the clergy so ordained automatically came under permanent suspension. See Hefele, *Histoire*, Vol. 2, Part 2, 788.

A bishop may not ordain, as a favor to a relative, whomever he wants to the episcopal dignity, "for it is not right to make heirs of the bishopric" (c. 76 Ap).

CHURCHING: Churching is the blessing of mother and child on the fortieth day after birth. The blessing has its roots in the Old Testament (Num. 18:14–18). On the fortieth day[50] after the child's birth, the mother went to the Temple to be purified after making an offering of an unblemished lamb[51] and one turtledove. On the same day, the redemption of the child was made by a payment of five silver shekels. Redemption was needed because "every male that opens the womb shall be called holy to the Lord" (Luke 2:23). At the churching service in the Orthodox Church, boys are taken in to the altar and carried around the Holy Table, while girls are taken as far as the Royal Doors. This discrimination has nothing to do with the sex of the child or with access to the altar but rather with the calling to the ministry.[52]

In the Orthodox mindset all children are a gift from God, and they are lent to us; then parents give them back to God to serve him.[53] Boys, like Jesus, are presented in the temple and made sacred to God (perhaps one day they will receive the call to priesthood); girls, like the Virgin Mary, are presented in the temple and made sacred to God and fulfill ministries other than that of priesthood, as saints, teachers, hymnographers, and so on.

Those who believe that discrimination is related to the interdiction against women entering the altar quote the following canonical prescriptions: c. 44 Laodicea; c. 19 Laodicea; c. 69 VI; Nomocanon

50. The days of purification were forty for male children and eighty for female children. The Orthodox Church does not observe a difference, requiring churching at forty days for both male and female children.

51. The lamb was given for the burnt offering and the turtledove (or pigeon) for the sin offering; if the family was poor, the Law (Lev. 12:8) allowed the lamb to be replaced by another turtledove or pigeon. The Virgin Mary and St. Joseph made the offering of the poor, two turtledoves (Luke 2:24).

52. A misunderstanding of the theological background of the blessing (the concept of firstfruits) and pressure from feminist movement has led some priests to break with Holy Tradition and take both males and females into the altar or, even worse, in the spirit of equality to deny access to the altar to both male and female infants.

53. In some traditions, a symbolic gesture confirms this understanding: the babies (both boys and girls) are laid on the solea in front of the Royal Doors, and only after that are they handed back to their mothers.

in XIV Titles, title 3, chapter 7. The last three canonical prescriptions forbid not only women but also laypeople to enter the altar.

The rubrics of the oldest and most authoritative priest's service books (*euchologia*) state that only male infants are taken into the holy altar;[54] some newer translations of the priest's service book leave some ambiguity or imply that both male and female infants should be taken into the altar.[55] A book about Greek traditions and customs in America states that the parish priest may decide whether a baby girl should be taken in to the holy altar.[56]

CHURCH ATTENDANCE: The faithful who "come in and hear the Scriptures, but do not stay to the prayers and Holy Communion, are to be excommunicated, as causing disorder in the Church" (c. 9 Ap). Again, the person who "comes to the Church, and attentively hears the Holy Scriptures, and then despises, goes forth from, and turns his back upon the Communion, let him be cast out, until after having brought forth fruits of repentance, he shall be indulged" (c. 2 Antioch).

The layperson who does not attend divine services in the city in which he was staying three Sundays—that is, for three weeks—should be deprived of Holy Communion (c. 11 Sardica).

54. For example, *Euchologion to mega* (Athens: Astir-Papadimitriou, 1992), 125; *Mikron euchologion i agiasmatarion* (Athens: Apostoliki Diakonia, 1992), 75; *The Great Book of Needs* (Trebnik), vol. 1 (South Canaan, PA: St. Tikhon's Seminary Press, 2000), 15; *An Orthodox Prayer Book*, trans. Fr. John von Holzhausen and Fr. Michael Gelsinger (Brookline, MA: Holy Cross Orthodox Press, 1977), 42; *Service Book* (Englewood, NJ: Antiochian Orthodox Christian Archdiocese, 1996), 270; *Molitfelnic of the Romanian Patriarchate* (Bucharest: Editura Institutului Biblic si de Misiune, 2002), 56; *The Priest as Liturgist: A Handbook of Rubrics*, comp. Fr. Jon Magulias (Modesto, CA: Petersen Publishing Group, 2010), 155.

55. For example, *Sacraments and Services*, book 2, ed. Spencer T. Kezios (Northridge: Narthex Press, 1995) mentions that the "priest then carries the male infant into the Sanctuary, circling the Holy Altar, and reciting Symeon's prayer"—without making any reference to female infants (18). In the translation of *Mikron euchologion* by Fr. Evagoras Constantinides (Thessaloniki: Melissa, 1997), the priest "takes the baby(ies) into the Sanctuary, counterclockwise, around the Holy Table," saying Symeon's prayer (27).

56. "As a usual practice, only clergy and male laypeople go beyond the *ikonostasion* and into the altar area. More recently the individual parish priest may make allowances, for instance when a female baby is brought for the forty-day blessing." Marilyn Rouvelas, *A Guide to Greek Traditions and Customs in America* (Bethesda, MD: Nea Attiki Press, 2002), 17.

If any bishop, presbyter, deacon, or any of those who are enumerated in the sacerdotal list, or a layperson, has no very grave necessity or difficult business to attend, and being in town does not go to church on three consecutive Sundays—if he is a cleric let him be deposed, but if a layman let him be cut off (i.e., excommunicated; c. 80 VI).

CIRCUMSTANCES, AGGRAVATING: Sins committed in brazenness are to be sanctioned with harshness (*akriveia*; c. 37 Nicephorus the Confessor); an intentional deception should be punished with harshness (c. 13 Theophilos of Alexandria).

CIRCUMSTANCES, EXTENUATING: One who confesses his or her sin will receive a lesser sanction; for one who during penance shows proof of correction, the penance may be lessened (*economia*; c. 4, 5 Gregory of Nyssa; c. 61 Basil the Great; c. 13 Theophilos of Alexandria; c. 29, 30 Nicephorus the Confessor).

CITY: A bishop's jurisdiction is limited to his own cities and districts (c. 35 Ap; c. 22 Antioch).

No one is allowed to build or found a monastery or oratory contrary to the will of the bishop of the city; whoever transgresses this judgment should be excommunicated (c. 4 IV).

Normally, bishops are not appointed in villages or country districts, but if they have already been appointed, they are to do nothing without the consent of the bishop of the city (c. 57 Laodicea).

Chorepiscopoi are not allowed to ordain city priests without the written approval of the bishop (c. 13 Ancyra).

Country priests are not allowed to make oblation in a city church in the presence of the bishop and his city priests; however, the former may do so in the absence of the latter and with their approval (c. 13 Neocaesarea).

Those who are excommunicated in one city are not to be received in another; otherwise, both the receiver and the received should be excommunicated (c. 12 Ap).

The number of the deacons in a city should be seven (c. 15 Neocaesarea).[57]

57. The number was chosen out of respect for the appointment (described in Acts 6:3) of the first deacons of the Church, who numbered seven. The canon was observed in Rome until the sixth century, but later the number grew to fourteen. The Acts of the Council of Chalcedon mention that the church of Edessa had thirty-eight deacons. The

If a city is elevated in rank by the secular or civil authority, the Church should follow the elevation; "the order of ecclesiastical parishes shall follow the civil and public forms" (c. 17 IV; c. 38 VI). But the territorial division of the Church may not be changed unilaterally by the civil authority; if a city is divided and a new metropolis is created, the new metropolis will have the name and the honor, but the rights remain with the old one and with its metropolitan (c. 12 IV).

In a city there may not be two or more bishops (c. 8 I).

CIVIL POWER: See SECULAR POWER, SECULAR OFFICE.

CLERGY: Clergy may be any worthy men with no bearing on the priestly line (as in Armenia)[58]; the Armenian practice was condemned, as the Christian Church did not observe a difference between Jews and Greeks or between slaves and masters (c. 33 VI). If a man is deprived of an eye or lame of a leg, he may enter the clergy (c. 77 Ap); the same for the man who has been castrated by force (c. 21 Ap); the same is true for the one who is an illegitimate child or born from a second or third marriage (c. 8 Nicephorus the Confessor).

The following men may not enter the clergy:

- one who married twice after his baptism[59] or one who had a concubine (c. 17 Ap; c. 3 VI; c. 12 Basil the Great)

emperor Justinian, in *Novel* 3.1, concerning the number of ecclesiastics attached to the principal church and the other churches of Constantinople, tried to reduce the number of clergymen to the following: "We order that no more than sixty priests, a hundred deacons, forty deaconesses, ninety subdeacons, a hundred and ten readers, or twenty-five choristes, shall be attached to the Most Holy Principal Church"; cf. S. P. Scott, *The Civil Law*, vol. 16 (Cincinnati: Central Trust Company, 1932); Justinian's quotation is reproduced from (http://www.constitution.org/sps/sps.htm.)

58. Armenia followed the old Jewish custom of ordaining to the priesthood only the males coming from a priesthood lineage. See more detailed explanations in the *Rudder*:329-332 and N. Milash, *Canons*: 400-401.

59. This canon derives from the prescriptions of the divine law: only a person who has been married once may embark on the priestly mission. In the Old Testament one finds such a disposition for the Levites (Lev. 21:7, 13); St. Paul also instructed his readers about some of the disqualifications from priesthood (1 Tim. 3:2–13; Tit. 1:5–6); among them, being a "husband of one wife" is a definite requirement for service. The same is spelled out in the *Apostolic Constitutions*: "We have already said, that a bishop, a presbyter, and a deacon, when they are constituted, must be but once married, whether their wives be alive or whether they be dead" (AC 6.17). The Apostolic canon 17 was issued in response to situations in which clergymen had married more than once, makes refer-

- one who married a widow, a divorcée, or a harlot (c. 18 Ap; c. 3 VI)
- one who was married to two sisters or a niece (c. 19 Ap; c. 5 Theophilos of Alexandria)
- one who has mutilated himself (c. 22 Ap; c. 1 I)
- one who has committed fornication or adultery (c. 61 Ap; c. 9 Neocaesarea)
- one possessed by a demon (c. 79 Ap)
- one who was baptized recently (c. 80 Ap; c. 2 I; c. 10 Sardica; c. 3 Laodicea)
- one who received emergency (clinical) baptism (c. 12 Neocaesarea)[60]
- one who fell from the faith without being persecuted (c. 3 Athanasios the Great)
- one whose family includes heterodox people (non-Christians; c. 36 Carthage)
- one whose wife committed adultery (c. 8 Neocaesarea; c. 21 John the Faster)
- one who in his childhood was sexually abused (c. 30 John the Faster)
- one who stole public goods (c. 42 John the Faster)

ence to baptism and disqualifies the person who has been married twice after baptism; however, an exception to the rule could be made for the candidate who had been married before baptism (as a pagan) and then converted, received baptism, and eventually married a second time (now as a Christian) and then asked to be ordained. Simply, he met the criteria for ordination; the marriage before baptism was not taken in consideration as at that time he was not a Christian. This situation was not quite unusual in the early Church, for the majority of Christians had converted from the religions of pagans and of Jews. Nowadays, a misunderstanding of this canon relates to candidates for baptism from non-Orthodox Christian faiths who ask that their marriage before baptism not be taken in consideration, as they were non-Orthodox at the time. The practice of the Orthodox Church is steadfast in keeping the canon in its original understanding, disqualifying them from ordination. The second part of c. 17 Ap refers to the disqualification of those who had a concubine. If the canon disqualifies those married legally twice after the baptism, it disqualifies even more those who live a licentious life. In fact, the canon disqualifies those who have been married twice after baptism or have had a concubine not only from ordination to the bishopric, priesthood, or diaconate but also from ordination to minor orders (subdeacons, readers, chanters, etc.).

60. One baptized with emergency (clinical) baptism is disqualified from ordination unless he proves much zeal for the faith and there is a lack of candidates.

A clergyman who castrates himself should be deposed (c. 23 Ap; c. 1 I). No one may be received into the clergy without a religious and moral examination (c. 9 I; c. 89 Basil the Great; c. 4 Cyril of Alexandria). No one is allowed to fulfill any clerical function before being received formally into the clergy (c. 14 VII).

No member of the clergy may be ordained at large; each clergyman must receive an assignment at the time of ordination; otherwise, the ordination becomes inoperative, and the ordainer will receive a reproach from the synod (c. 6 IV). A clergyman may not be enrolled in the sacerdotal list of two cities at the same time (c. 10 IV; c. 15 VII).

A clergyman from another eparchy may not be received by the local bishop without the approval of his bishop (c. 54, 90 Carthage). Assignation of a clergyman to another eparchy without the approval of his bishop is null (c. 15 Sardica). A clergyman who transfers himself to another parish without the approval of his bishop should be forced to return to his parish, and if he refuses, he should be excommunicated (c. 15 Ap; c. 15, 16 I; c. 20 IV). For the same situation c. 3 Antioch imposes deposition.

No clergyman is allowed to leave his parish and establish himself in another parish without a canonical (dismissory) letter from his bishop. One who leaves without a letter should be deposed; any bishop who receives him without such a letter should also be deposed (c. 17 VI; c. 13 IV). If a clergyman is excommunicated and enters another parish and there is received without a commendatory letter, he should be excommunicated, as should the bishop who received him (c. 12, 13 Ap).

A clergyman ordained in the name of an eparchy should go to that eparchy; if he refuses to go there, he should be excommunicated. If a bishop is ordained for a diocese and does not undertake his ministry, he will be excommunicated until he will take the charge of his diocese; but if he is rejected by the people of that diocese, not because of his fault, the clergy of that diocese shall be excommunicated because they did not correct the disobedient people (c. 36 Ap; c. 17 Antioch).

A clergyman who has spent a great deal of time in another eparchy without the authorization of his bishop should be sanctioned (c. 23 IV; c. 16 Sardica). A clergyman transferred from one eparchy

to another is not allowed to meddle in the affairs of the eparchy from which he left; if he does so, he should be deposed (c. 10 IV).

A clergyman is not allowed to do anything without the approval of his bishop (c. 39 Ap; c. 57 Laodicea). A clergyman may not travel without informing the bishop (c. 41 Laodicea); a clergyman is not allowed to travel without a canonical letter (c. 42 Laodicea).

A clergyman who insults his bishop or another clergyman should be excommunicated (c. 55, 56 Ap).

A clergyman who is not obedient to his bishop should be sanctioned according to the canons (c. 8 IV).

A clergyman who insults the king or the ruler or rises in rebellion against the civil authority or against the bishops and fellow clergy should be deposed (c. 84 Ap; c. 18 IV; c. 34 VI).

A clergyman who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop with regard to religion or justice, should be deposed (c. 31 Ap; c. 31 VI; c. 5 Antioch; c. 35 Laodicea; c. 10 Carthage); other canons require anathema (c. 6 Gangra; c. 10, 11 Carthage).

A clergyman who without the approval of the bishop performs holy mysteries (i.e., sacraments) outside the church should be deposed (c. 31, 59 VI; c. 10 VII; c. 12 Constantinople I–II).

A clergyman who does not commemorate in the liturgy his bishop should be deposed, as should a bishop who does not commemorate his metropolitan (c. 13, 14 Constantinople I–II). The same sanction will be imposed on a metropolitan who does not commemorate his patriarch (c. 15 Constantinople I–II).

A clergyman who is guilty of fornication, perjury, or theft should be deposed (c. 25 Ap; c. 4 VI; c. 3, 32 Basil the Great; c. 18 John the Faster).

A deposed clergyman who dares to perform sacraments, liturgical services, or any ministerial function should be cut off completely from the Church (i.e., major excommunication; c. 28 Ap; c. 29 Carthage). Moreover, those knowledgeable about the defrocking who dare to communicate with him should be cast out of the Church (c. 4 Antioch).

A clergyman who is a magician, enchanter, mathematician,[61] or astrologer or believes in and carries amulets should be cast out of the Church (c. 36 Laodicea; c. 72 Basil the Great).

A heretic may not witness against a clergyman. One witness cannot prove the fault of a clergyman; at least two witnesses are required (c. 75 Ap).

A clergyman is required to divorce his wife if she committed adultery; if he keeps her, he should be expelled from the Church (c. 8 Neocaesarea; c. 21, 62 John the Faster).

In the process of election of the clergyman, the laity also must participate (c. 50 Carthage; c. 6 Sardica; c. 89 Basil the Great; c. 7 Theophilos of Alexandria).

A clergyman who refuses a promotion bestowed on him by the bishop should be degraded from the position that he did not want to leave (c. 31 Carthage).

CLERGY (SACERDOTAL) LIST: The bishop is required to keep a list of all his clergy (c. 89 Basil the Great); clergymen included in the list must obey the canons and regulations of the Church (c. 15, 18, 51 Ap; c. 16 I; c. 5 VI).

CLINICAL BAPTISM: See BAPTISM, EMERGENCY.

CLOAK: If anyone under the pretense of asceticism wears a rough cloak (*periboloeum*) and despises those who use the *berus* and other customary dress, he or she should be declared anathema (c. 12 Gangra).[62]

CLUBS: No clergymen or laypeople may gather together in clubs for drinking and entertainment (c. 55 Laodicea).

COHABITATION, CLANDESTINE: Those who have freely and lawfully joined in second marriages, after a short time spent in prayer and fasting, should be given Holy Communion; as for those who entered marriages in secret or cohabitated together, Holy Communion should be denied (c. 1 Laodicea).

61. "Mathematicians" are those who hold the opinion that the celestial bodies rule the universe and that all earthly things are ruled by their influence, as Zonaras explained in his commentary to this canon.

62. A *periboloeum* (το περιβόλαιον) was a rough mantle worn by philosophers to show their contempt for luxury, while a *berus* (βήροι) was the common upper garment worn by men over a tunic. Here the canon does not reject special dress for monks but underscores the excess in dressing out of pride and self-aggrandizing.

COMMEMORATION: Those who despise the commemoration of the martyrs should be declared anathema (c. 20 Gangra).

A clergyman who does not commemorate his bishop in the divine services should be deposed (c. 13 Constantinople I–II). The same sanction applies to a bishop who does not commemorate his metropolitan (c. 14 Constantinople I–II) and to a metropolitan who does not commemorate his patriarch (c. 15 Constantinople I–II).

Commemoration of the martyrs of heretics is forbidden to Christians; those who do this should be declared anathema (c. 34 Laodicea).

The commemoration of the saints and martyrs whose days fall during Great Lent should be transferred to a Saturday or a Sunday, as the divine services cannot have a penitential and mourning character (c. 51 Laodicea).

COMMENDATORY LETTERS: See LETTERS.

COMMUNICANTS: Communicants are laypeople who fully participate in the life of the Church and enjoy the privilege of receiving sacraments. In a strict sense, they are those laypeople who may receive Holy Communion. In the divine services, the prayers for the communicants are to follow the prayers for the penitents (c. 19 Laodicea).[63] See also LAYPEOPLE.

COMMUNION/EUCHARIST: Holy Communion, or the Eucharist, is humankind's union with the Body and Blood of Jesus Christ (Matt. 26:26–30; John 6:32–58). That is why communicants must prepare for it and have permission from the spiritual father to receive it. Those unworthy—that is, unprepared or under *epitimia*—who participate in the Eucharist bring judgment on themselves (1 Cor. 11:27–31). The most-quoted formula in the sacrament of Holy Communion is 1 Corinthians 11:23–25, though parallel biblical texts are also used.[64]

The order of partaking from Holy Communion is as follows:

63. The canon refers to the Divine Liturgy at the time when the petitions for the catechumens and for the penitents were still part of the Divine Liturgy of St. John Chrysostom.

64. "Take eat, this is my Body . . . . Drink of it all of you; this is my Blood of the new Covenant." *The Divine Liturgy of Saint John Chrysostom* (Brookline, MA: Holy Cross Orthodox Press, 1985), 21.

"Let the bishop partake, then the presbyters, and deacons, and subdeacons, and the readers, and the singers and the ascetics; and then of the women, the deaconesses, and the virgins, and the widows; then the children; and then all the people in order, with reverence and godly fear, without tumult. And let the bishop give the oblation, saying, the Body of Christ; and let him that receiveth say, Amen. And let the deacon take the cup; and when he give it, say, the Blood of Christ, the cup of life; and let him that drinketh say, Amen. And let the thirty-third psalm be said, while the rest are partaking; and when all, both men and women, have partaken, let the deacons carry what remains into the vestry" (AC 8.13).

Communicants are forbidden to receive unleavened bread from Jews; if clergymen do so, they should be deposed; if laypeople do so, they should be excommunicated (c. 70 Ap; c. 38 Laodicea).

Lapsed deacons who have been restored should abstain from every sacred ministry, neither bringing forth the bread and the cup nor making proclamations; however, seeing their meekness the bishop may lift the interdiction (*economia*; c. 2 Ancyra).

Country presbyters may not make the oblation in the city church when the bishop or the presbyters of the city are present; however, if the latter are absent and the country presbyter is alone, he may make the oblation (c. 13 Neocaesarea).

Subdeacons may not give the bread nor bless the cup—that is, give Holy Communion (c. 25 Laodicea).

During Great Lent, there is no oblation except on Saturdays and Sundays (c. 49 Laodicea; c. 52 VI).[65]

Those on their deathbed should be given Holy Communion even if they are under penance, so they may not lack "the food for the journey" (c. 13 I; c. 6 Ancyra; c. 7 Carthage; c. 73 Basil the Great; c. 2, 5 Gregory of Nyssa).

None of those who are in the order of laypeople may distribute the Divine Mysteries to himself if a bishop, presbyter, or deacon is present. Those who dare to do such thing should be cut off (i.e., excommunicated) for a week (c. 58 VI).

65. The Liturgy of the Presanctified Gifts may be celebrated on other days with the Host consecrated on the previous Sunday. Another exception to this rule is for the feast day of Annunciation, which is celebrated with a full liturgy, even when it falls on Good Friday.

No one may give the Eucharist to the bodies of the dead; for it is written, "Take and eat." But the bodies of the dead can neither take nor eat (c. 83 VI).

If anyone wishes to receive the immaculate Body in the time of synaxis and to offer himself for Holy Communion, let him draw near, arranging his hands in the form of a cross, and let him receive the communion of grace. But if instead of hands someone uses vessels of gold or other materials to receive the divine gift, we do not allow it. And if anyone is found imparting the immaculate Communion to those who bring vessels of this kind, let him be cut off (i.e., excommunicated), along with the one who brought them (c. 101 VI).

If anyone maintains concerning a married presbyter that is not lawful to partake of the oblation when he offers it, let him be anathema (c. 4 Gangra).

If a catechumen is ill and becomes out of his mind and cannot make the profession of faith, at the entreaty of his brethren he can be baptized with the provision that he is not possessed by an unclean spirit (c. 4 Timothy of Alexandria).

A man and a woman who engaged in their conjugal act the previous night may not partake the next day of Holy Communion (c. 5 Timothy of Alexandria).

If someone preparing to receive Holy Communion has swallowed a drop of water when he brushed his teeth or when he took a shower, he may still receive Holy Communion (c. 16 Timothy of Alexandria).

If someone is dying and cannot swallow, or spits whatever is given to him, the priest may commune him by touching Holy Communion with the communion spoon and then making the sign of the cross on his lips (EL 974).

A communicant who vomits immediately after partaking Holy Communion should be penanced with forty days of excommunication and reading fifty psalms and doing fifty prostrations daily (c. 48 John the Faster).

A person in danger of death should be given Holy Communion even if the person has not fasted (c. 9 Nicephorus the Confessor).

Communicants may not receive Holy Communion from a presbyter who does not fast on Wednesdays and Fridays, as one may not

be holy when he shows himself pious in some things and unclean in others (c. 47 Nicephorus the Confessor).

A woman who recently gave birth may not receive Holy Communion before the churching at forty days, but if she is in danger of death she may receive it even if the churching has not been done (EL 984).

A presbyter who partied and drank wine until midnight may not serve next day. If a presbyter does not take utmost care of the Lamb and it is crumbled or is touched by insects or animals, that presbyter should fast for forty days.[66] Whoever spills the chalice before the consecration should fast for one week, but if the spilling was done after the consecration, he should fast for forty days (EL 988).

A clergyman who demands payment for Holy Communion should be deposed (c. 23 VI).

Holy Communion should be prepared only by those clergymen who have fasted (c. 41 Carthage; c. 29 VI).

Only clergymen are allowed to commune in the altar (c. 19 Laodicea).

Nuns may not receive Holy Communion from a young priest when he serves and communes them[67] (c. 23 Nicephorus the Confessor).

All those who come to church and hear the Scriptures but do not stay for the prayers and Holy Communion are to be excommunicated, as causing disorder in the Church (c. 9 Ap; c. 2 Antioch).

If a clergyman or a layman, without a serious excuse, does not attend church for three consecutive Sundays (i.e., three weeks), let the clergyman be deposed and the layperson be excommunicated (c. 80 VI).

Holy Communion is not to be granted to a foreign clergyman without examination, nor if the result of this examination is unsatisfactory (c. 33 Ap).

Holy Communion should not be given to one possessed by the devil; but if he is freed, he should be received in Communion, and if he is worthy, he may be even ordained (c. 79 Ap).

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66. In this context, the Lamb is the central part of the loaf of bread (*prosphora*) that carries the inscription IC XC NI KA and that is removed during the service of oblation, or *proskomide*. This piece represents Jesus Christ and his sacrifice.

67. In order to avoid any appearance of scandal, only old priest-confessors or priest-monks are appointed in the monasteries for women (convents).

Those who are baptized, after baptism should be anointed with the heavenly chrism and be partakers of the Kingdom of Christ—that is, of Holy Communion (c. 48 Laodicea).

Communion with the excommunicated brings excommunication (c. 10 Ap; c. 2 Antioch).

It is not right to send the holy gifts to another parish[68] (c. 14 Laodicea). See also OBLATION.

COMMUNION/EUCHARIST (ACCIDENTS DURING): See LITURGY (ACCIDENTS).

COMMUNION, READMISSION TO: Communion is permitted to those who remained steadfast throughout persecution, though forced to appear otherwise (c. 3 Ancyra).

Penitents are readmitted to communion after penance proportional to the nature of their offense (c. 2 Laodicea); the same rule applies to those who are guilty of bestial lusts (c. 16 Ancyra). The lapsed may be readmitted to Communion after a term of penance varying, according to circumstances, from two to thirteen years (c. 11, 12, 14 I; c. 4, 5, 6, 7, 8 Ancyra).

A lapsed priest readmitted to Communion retains the honor of the chair but is not permitted to make oblation, nor to preach, nor in short to perform any act of sacerdotal function (c. 1 Ancyra).

Those who contract more than one marriage should be received to Communion after a period of prayer and fasting (c. 8 I; c. 1 Laodicea; c. 3 Neocaesarea).

An adulterer or an adulteress may be readmitted to Communion after seven years of penance (c. 20 Ancyra).

Women who cause or prepare drugs for abortion should be readmitted to Communion after ten years of penance (c. 21 Ancyra).

Diviners, sorcerers, and astrologers should be readmitted to Communion after five years of penance (c. 24 Ancyra).

One who through seduction corrupts the sister of his betrothed is to be penanced with ten years before being received among the costanders (c. 25 Ancyra).

68. In the early Church, Holy Communion from the Pascha service was sent to other churches as a sign of universality; the practice was discontinued because of the risk of losing the Eucharist (e.g., on sunken ships) and because desecration loomed every time the holy things traveled long distances.

Communion in prayers only, and without the oblation, is the last part of penance before returning to full Communion (c. 11, 12, 13 I; c. 4, 5, 6, 8, 9, 16, 24 Ancyra).

Cathari may be readmitted to Communion upon their promise to observe the decrees and the discipline of the catholic Church (c. 8 I).

Cathari are admitted by chrism (c. 7 II); Paulianists by baptism (c. 19 I); Arians, Macedonians, Sabbatians, Quartodecimans, and Apollinarians by chrism after renouncing and anathematizing all heresies (c. 7 II); Eunomians, Phrygians, Sabellians, and other heretics are received as heathen and are exorcized, instructed, and baptized (c. 7 II).

COMPLAINT: A complaint of a personal wrong done by a bishop may be brought by a person of any religion (c. 6 II).

If any clergyman has a complaint against other clergyman, he must address it to his bishop and not run to secular courts; when a cleric has a contention with a bishop, let him wait until the synod sits, and if a bishop has a contention with his metropolitan, let him carry the case to Constantinople (c. 9 IV).

If a clergyman has a complaint against the metropolitan, he may lay it before the exarch of the diocese or the throne of Constantinople (c. 9, 17 IV).

If someone brings a private complaint against the bishop—that is, one relating to his own affairs—no examination of the accuser should be made (c. 6 II); but those who bring charges of an ecclesiastical nature must be examined (c. 6 II; c. 21 IV). See also CHARGE/ACCUSATION.

COMPETENCY: The Church has exclusive competency in matters of the rights and duties of clergymen when they act in ecclesiastical matters (c. 10 VII). Based on the separation of church and state,[69] the secular law of the United States accepted ecclesiastical governance and deference, or neutral rule: a civil court's intervention in issues of governance of a hierarchical church organization is limited by the First and the Fourteenth Amendments. That is, religious organizations may exercise freedom in matters of church government,

69. In practice, this means that there is a constitutional bar on either establishing a unique and dominant religion or restricting religious freedom in any way.

as well as in matters of faith and doctrine, retaining the power to decide for themselves, free from state interference.[70]

The so-called "doctrine of ecclesiastical abstention underscores that the civil courts may not determine the correctness of interpretations of canonical texts or some decisions relating to the government of religious polity; rather, courts must accept as given whatever the religious entity decides."[71] Though when religious bodies do not respect their own by-laws, or when a state interest needs to be defended, they may claim jurisdiction for themselves. In particular cases, such as issues of property,[72] job security, or abuse, the courts may claim jurisdiction as long as they act in a neutral and nonreligious spirit.

If any clergyman has a complaint against other clergyman, he must address it to his bishop and not run to secular courts; when a cleric has a contention with a bishop, let him wait till the synod sits, and if a bishop has a contention with his metropolitan, let him carry the case to Constantinople (c. 9 IV).

COMPLICITY: Clergymen or monastics who conspire with those who oppose the civil authority or oppose other clergy, or who enter secret societies, should be deposed (c. 31 Ap; c. 84 Ap; c. 18 IV; c. 34 VI).

CONCUBINAGE: Concubinage is not marriage; one living in concubinage should separate (c. 26 Basil the Great). One living in concubinage with a married or betrothed woman commits adultery (c. 37 Basil the Great). One who after baptism has had a concubine may not be ordained (c. 17 Ap).

CONCUPISCENCE (SEXUAL DESIRE): If any man lusting after a woman plans to lie with her, and his design does not come to effect, it is evident that he has been saved by grace (c. 4 Neocaesarea).[73]

70. See Kedroff v. St. Nicholas Cathedral of the Russian Orthodox Church in America, 344 US 94 (1952); and Serbian Eastern Orthodox Diocese for the U.S.A. v. Milivojevich, 426 US 696 (1976).

71. See Duncan v. Peterson, 01-L-374, 12-30-10 (2010).

72. See Jones v. Wolf, 443 U.S. 595 (1979).

73. According to Balsamon, the Fathers of the Church stated that there are four stages in committing sin: the temptation, the struggle, the consent, and the act. The first two stages are not subject to punishment, as the person fought with desire, and reason—with the grace of God—won; the last two stages are subject to punishment, and one of them, consent, can lead to penance. According to Zonaras' commentary to this canon, St. Basil declared that if a clergyman polluted himself "in lips" and confessed that he had done so, he should be interdicted from his ministry for a period of time (suspension). If the clergyman acted the sin, he should be deposed. See NPNF 2.14: 81

CONFESSION: The scriptural roots of the sacrament of confession can be found in 1 John 1:9; Matthew 18:15–17; James 5:16; and John 2:23. Confession is a sacrament by which God forgives the sins that have been sincerely and completely confessed to a confessor, or spiritual father. Confession of sins may lead to penances. See also *EPITIMIA*.

A crime discovered at confession is a disqualification for ordination to the priesthood (c. 9 I).

A priest who confesses bodily sins is not allowed to offer the oblation (c. 9 Neocaesarea).

If a bishop or a priest does not receive back into the fold those who have confessed, he should be deposed (c. 52 Ap). Those who sinned and confessed, after the time of penance should be received back to Holy Communion (c. 2 Laodicea). Likewise, "players and actors and other persons of this kind"—that is, people who live and attract others to an immoral life—as well as apostates who have converted, should not be denied grace or reconciliation (c. 45 Carthage).

Concerning the starting age for the sacrament of confession, St. Timothy of Alexandria advises that the age should be according to one's capacity of understanding; to one at age ten, to another when older (c. 18 Timothy of Alexandria).

If confession is made to a person not authorized by the bishop, "the sins which are bound or loosed, they are not corrected" (Trebnik, 121).

A confessor (i.e., spiritual father) must have a sacred place in which to confess the people. He should receive every person with gentleness, a smiling face, and reverence, and not with a sorrowful and gloomy face (EL 1916).

Any man or woman who separates from his or her confessor without any imputation toward the confessor and goes to another, that man or that woman, along with the one who received them, should be separated from the Church (EL 1918).

One who confessed his sins, received a penance, and had the prayer of absolution read over him is not required to confess again unless new sins develop from the trunks of the same vices. In the major confession before ordination, the candidate should confess all

the sins from childhood to the time of ordination (Symeon of Thessalonika in EL 1920).

Some people believe that under exceptional conditions, a layperson may listen to the confession of another layperson on his deathbed, and when this first person makes his confession, he will confess the sins of both of them and receive from the priest-confessor forgiveness for both of them (EL 1923).

Confession is made individually, and the sins are confessed in an audible way so that the confessor may hear and judge them and then decide what needs to be loosed and what needs to be bound (EL 1929a).

Those not willing to do the penances prescribed and who do not change their behavior after much admonition should be barred from the sacrament of confession (EL 1931).

In exceptional situations—such as invasion of enemies, plague, or wars—a general (collective) forgiveness of sins may be pronounced by the hierarch or the confessor on people whom he knew from before; then, those who wish may receive Holy Communion (EL 1929b).[74]

In the Slavonic form, the formula of absolution states, "May our Lord and God, Jesus Christ, by the grace and compassion of His love for mankind, forgive you, child, *Name*, all your transgressions; and I, an unworthy Priest, through His power given unto me, forgive you and absolve you from all your sins, in the Name of the Father, and of the Son, and of the Holy Spirit. Amen" (Trebnik, 129).

74. Unfortunately, this forgiveness reserved for exceptional situations is abused by some clerics in times of peace, when individual confessions should be done. We are told that St. John of Kronstadt was "forced" to generally confess the faithful, as multitudes of five thousand or more appeared at St. Andrew's cathedral in Kronstadt and asked to be confessed by the new "prophet" of Russia. See Fr. Artemy, *St. John of Kronstadt*, in "The Voice of Russia," September 11, 2004, (http://english.ruvr.ru/radio_broadcast/2248514/2315990/); another testimony about St. John of Kronstadt's general confession is given by Bishop Arsenius Zhadanovsky, "Before the Liturgy he offered general confession. Here something unimaginable and indescribable was happening: everyone was crying out and weeping, and there was a rumble of voices and groans. I fell to my knees, and did not dare lift my head until the end of that public wail to God." See, Bishop Arsenius (Zhadanovsky), "Bilder of the Inner Life - Schema-Abbess Tamar and the St. Seraphim-Znamensky Skete", in *The Orthodox Word*, Platina, CA: St. Herman of Alaska Brotherhood, 2010, No. 273:171).

In the Greek form, the formula of absolution reads, "May God Who pardoned David through Nathan the Prophet when he confessed his sins, Peter who wept bitterly for his denial, the Harlot weeping at His feet, the Publican and the Prodigal, forgive you all things, through me a sinner, both in this world and in the world to come, and set you uncondemned before His terrible Judgment Seat. Now, having no further care for the sins which you have confessed, depart in peace" (Trebnik, 129–130).

CONFESSION, SECRET OF: The secret of confession emerged only when public confession came to be replaced with private confession. The spiritual father is bound to the secrecy of confession. The priest or confessor is not conducting an investigation, and he should not ask about the people with whom the sin was committed or to allude to situations about which he heard from other people. For the same reasons, the confessor is not allowed to make written notes about the content of confession. The confessor is not allowed to divulge the sins confessed even if he is in danger of losing his life.[75] He should conform to the biblical precept, "Have you heard something? Let it die with you" (Sirach 19:10).

As for women who have committed adultery and have confessed it out of reverence or because they have been more or less conscience stricken, our Fathers have forbidden us to make the fact public, lest we afford some occasion for the death of the remorseful one; also they ordered that such women are to stand without communion until they have completed the term of their penance (c. 34 Basil the Great).

A father-confessor may forbid the divine Communion to those persons who confess secret sins to him, but he must let them enter the church; he should not reveal their sins, but ought to advise them gently to remain repentant and to keep praying. He ought to adjust the amercements (i.e. penances) to befit each one of them according to his best judgment (c. 28 Nicephorus the Confessor).[76]

75. An article published in the *New York Times* on March 4, 2006, stated, "A Greek Orthodox priest in Cyprus has been suspended after allegations that he broke his vows by using information from confessions to blackmail those who confided in him, local news reports said. The unidentified priest was said to have collected his flock's dark secrets and then deployed Turkish Cypriots to extort money."

76. The canon appears in *Rudder* as c. 27, while other sources number it as c. 28.

If a bishop reveals that a person confessed to him a crime, and then the person denies it, the bishop should not be believed on his word alone and should be compelled to hold communion with that man; if the bishop refuses to do so on the alleged ground that he cannot have fellowship with a person who deserves to be excommunicated, that bishop loses communion with other bishops (c. 132 Carthage).[77]

"Nothing else remains after confession, Spiritual Father, except to keep the sins you hear a secret, and to never reveal them, either by word, or by letter, or by a bodily gesture, or by any sign, even if you are in danger of death. . . . For if you reveal them, firstly, you will be suspended or daresay deposed completely by the Ecclesiastical Canons, and according to political laws you will be thrown in jail for the rest of your life and have your tongue cut out."[78] See EXCURSUS ON THE PRIEST-PENITENT PRIVILEGE in the Appendix.

CONFESSION (SINFUL OR FALSE): A sinful or false confession occurs when (1) the penitent seeks a confessor who is known to give penances not according to the law of God or one who committed himself the same type of sin and consequently may be more indulgent; (2) the sinful person does not tell all the sins or tells them partially or justifies his sins through lies; or (3) people come in large groups, confess quietly, and expect a collective prayer of absolution (EL 1924).

CONFESSOR (SPIRITUAL FATHER): The confessor should give penitents the proper medicine and in accordance with their disposition toward healing (c. 1, 8 Gregory of Nyssa; c. 102 VI), and he is not allowed to divulge to anyone the sins heard at the sacrament of holy confession (c. 34 Basil the Great; c. 28 Nicephorus the Confessor; c. 132 Carthage).

77. The canon appears in *Rudder* as c. 141, while in other collections it appears as c. 132. The formulation of the canon is quite difficult to understand; however, three conclusions can be drawn from it: the confessor is not allowed to divulge the secret of confession; if the confessor reveals the secret of confession, he is punished by being required to act as if no sin were committed; if a confessor dares to reveal the secret of confession, his testimony should not receive any credence, and he may not be a witness in court (civil or ecclesiastical).

78. Nikodemos the Hagiorite, *Exomologetarion*, trans. Fr. George Dokos (Thessalonica: Uncut Mountain Press, 2006), 189–190.

A confessor is not ordained, for he is so by choice and patience and is worthy of great honor, though he may be ordained to the rank of bishop, priest, or deacon. "But if anyone of the confessors who is not ordained snatches to himself any such dignity upon account of his confession, let the same person be deprived and rejected" (AC 8.26).

The confessor may ask penitents to abstain from Holy Communion, but he should not discourage them from entering the church (c. 28 Nicephorus the Confessor).

If a layperson confesses willingly his or her sins, the confessor should use his discernment in administering *epitimia* (c. 30 Nicephorus the Confessor).

"If any without proper authorization from the local bishop dare to be recipient of thoughts and to confess, such shall rightly receive punishment as a transgressor of the divine canons" (Trebnik, 121).

If someone separates without any imputation from his spiritual father and goes to another, that person, along with the one who received him, should be separated from the Church (EL 1918).

CONGREGATION (ILLEGAL): If a presbyter, without the approval of a bishop, builds a congregation and erects an altar, without any grounds for condemning the bishop with regard to religion or justice, let him be deposed (c. 31 Ap; c. 31 VI; c. 5 Antioch; c. 35 Laodicea; c. 10 Carthage). Other canons require anathema c. 6 Gangra; c. 10, 11 Carthage). See also SCHISM.

CONSANGUINITY: For regulations concerning marriages within the prohibited degrees of consanguinity, see MARRIAGE (LEGAL).

CONSECRATION: Consecrated vessels may not be appropriated or used for private purposes; whoever does that should be excommunicated (c. 73 Ap). Subdeacons are not allowed to touch the vessels (c. 21 Laodicea).

Monasteries, once consecrated, may not be used as secular dwellings; whoever permits this to be done shall be liable to ecclesiastical penalties (c. 24 IV). See also HIERURGY.

CONSECRATION (OF ANTIMENSIA): Consecration of antimensia is a hierurgy reserved for the bishops. Historically, Christian churches were erected atop the graves of martyrs. During times of persecution, clergymen or pious Christians transported relics of the martyrs in clean cloths to the places where the Divine Liturgy was

celebrated. Eventually, relics of the martyrs were placed under the altars or in the altar tables, as is still done today.

During the iconoclasm controversy (725–842), not only icons were attacked but also relics of the saints and martyrs. The triumph of Orthodoxy restored the tradition of using antimensia.

Let relics of the holy martyrs be placed in such churches as have been consecrated without them. But whoever (from now on) consecrates a church without these shall be deposed as a transgressor of the traditions of the Church (c. 7 VII).

If perchance a holy antimension is washed unwittingly, it does not lose its sanctity, nor does it become unclean because of its having been washed (c. 1 Nicephorus the Confessor).

Let no one appropriate any longer for his own use any golden or silver vessel that has been sanctified, or any cloth; anyone caught in the act should be punished with excommunication (c. 73 Ap).

CONSECRATION (OF CHURCHES): Consecration of churches is a hierurgy reserved for the bishop, though in the early Church, a priest delegated by the bishop could also do it. It seems that the prohibition of delegation to the priest in c. 6 Carthage was eventually extended to the prohibition of consecration of churches by the priests.[79]

Churches should be consecrated with relics of the martyrs; but whoever (from now on) consecrates a church without these shall be deposed as a transgressor of the traditions of the Church (c. 7 VII).

In churches taken into possession by heretics, the faithful should behave as in a private houses: no censing, no prayers, no candles, and no entrance into the altar (c. 46 Nicephorus the Confessor).[80]

A sacred character is bestowed on a church building at its consecration; any other nonreligious or profane usage of the church building is prohibited (c. 74, 76, 88 VI; c. 28 Laodicea; c. 42 Carthage).

CONSECRATION (OF HOLY MYRRH): Initially done by both bishops and priests, consecration of holy myrrh was later reserved only for the bishops. Eventually, the hierurgy was performed not

79. C. 6 Carthage decreed that the consecration of the chrism (i.e. holy myrrh), the reconciliation of the penitents, and also the consecration of the virgins should not be done by presbyters.

80. The implication is that those churches need to be reconsecrated.

by any bishop but only by the primate (patriarch or metropolitan) of an autocephalous church. As a sign of the unity of Christendom, even those leaders consecrated holy myrrh not by themselves but together and under the leadership of their patriarch or that of the Ecumenical Patriarch.

In the elevation document (*tomos* or *grammata*) of some national churches to autocephalous status, a provision was made that these new churches would receive holy myrrh from the Ecumenical Patriarchate (e.g., Church of Greece, 1850; Church of Serbia, 1879; Church of Poland, 1924).

Holy myrrh is prepared on Holy Thursday (Thursday of Holy Week) by the patriarch, assisted by the synod of bishops of that church. The last time Ecumenical Patriarch Bartholomew, assisted by a large group of metropolitans and bishops from over the world, consecrated holy myrrh was Holy Thursday of the year 2012. The Greek Orthodox Archdiocese of America, as an eparchy of the Ecumenical Patriarchate, receives holy myrrh from the Ecumenical Patriarchate.

It was decreed that the consecration of the holy myrrh, the reconciliation of penitents, and also the consecration of virgins not be done by presbyters (c. 6 Carthage).

CONSENT: Neither the metropolitan not the provincial bishops may act alone without the consent of the others (c. 34 Ap; c. 9 Antioch).

A clergyman should not address the emperor without the consent of the metropolitan and provincial bishop; whoever does so should be not only cast out from Communion but also deposed from the rank he happens to have (c. 11 Antioch).

Bishops are to be elected with the consent of the metropolitan and a majority of the provincial bishops (c. 4, 6 I; c. 19 Antioch).

Priests and deacons are not allowed to act without the consent of their bishop (c. 39 Ap; c. 57 Laodicea).

A bishop may not act beyond his jurisdiction without the consent of the bishop who has authority over those regions; if the bishop breaks this rule, he must be deposed (c. 35 Ap).

When disputes among clergymen arise, the consent of the bishop is necessary in the selection of an arbiter upon whom both parties agree (c. 9 IV). See also ARBITRATION.

In the establishment of a monastery or oratory, the consent of the bishop is required; those who disregard this judgment should be excommunicated (c. 4, 24 IV).

Clergymen who perform ecclesiastical acts should have the consent of their bishop; otherwise, they will be anathema (c. 6 Gangra).

The appropriation of the fruits offered to the church should be done with the consent of the bishop or of the person charged with their administration (i.e., *economos*/steward); failing to obtain such consent is punishable with anathema (c. 7, 8 Gangra).

Chorepiscopoi are not allowed to ordain priests and deacons beyond their districts without the written consent of the bishop (c. 13 Ancyra).

Clergymen are not allowed to travel without the bishop's consent (c. 41 Laodicea).

Visiting bishops in the villages and presbyters in the countryside may not do anything without the approval of the bishop of the city (c. 57 Laodicea).

Bishops must manage the revenues of the church with the consent of their priests and deacons (c. 25 Antioch); if they fail to do so, they will be subject to correction by the holy synod (c. 25 Antioch).

The consent of the master must be obtained before a slave can be ordained (c. 82 Ap) or received as a monk (c. 4 IV). Whoever transgresses this rule should be excommunicated.

CONSPIRACY: Clergymen and monks conspiring against their bishop and fellow clergymen are to be deposed (c. 18 IV).

CONSTANTINOPLE: The Bishop of Constantinople shall have the prerogative of honor after the Bishop of Rome, because Constantinople is the New Rome (c. 3 II). Precedence in honor was judged by the Council of Chalcedon to have been rightly conceded by the 150 bishops because Constantinople is a seat of government and an imperial residence (c. 28 IV).

The Bishop of Constantinople is to ordain metropolitans of Pontus, Asia, and Thrace, as well as bishops in the dioceses in barbarian lands (c. 28 IV).

The Bishop of Constantinople may hear accusations brought against any metropolitan—that is, he serves as a court of last instance (c. 9, 17 IV).

Clergymen and monks who go to Constantinople and raise disturbances there are to be expelled from the city if they refuse to return to their own places (c. 23 IV).

CONTINENCE: Continence is the ability to contain sexual desire.

If anyone remains a virgin, or observes continence, abstaining from marriage because he abhors it and not on account of the beauty and holiness of virginity itself, let him be anathema (c. 9 Gangra). We [the Fathers assembled at Gangra] have regard for continence accompanied by humility and gravity (c. 21 Gangra).[81]

CONTINUOUS POSSESSION: See PRESCRIPTIVE RIGHTS.

CONTRACTS: If a clergyman negotiates shameful and unlawful transactions, he is to be deposed from his rank; if the perpetrator is a layman or monk, he should be anathematized (c. 2 IV).

Clergymen and monks are not allowed to make contracts relating to secular affairs; whoever transgresses this decree shall be subject to ecclesiastical penalties (3 IV).

CONVERTS: Conversion from heathenism is not in itself a disqualification for ordination; however, one who has recently converted from heathenism may not be made a bishop (c. 80 Ap; c. 2 I), a priest (c. 2 I), or a clergyman of any rank (c. 3 Laodicea).

A converted heathen, Jew, or heretic may marry the child of a reader or singer (c. 14 IV).

Readers and singers are prohibited to marry heterodox; but if they are already married and have children baptized among the heretics, they should bring them into the communion of the catholic Church. If their children are not baptized, they should be baptized and eventually marry in the Orthodox Church; one who transgresses this decree should be subject to canonical censure (c. 14 IV).

It is not lawful to contract marriages with heretics, but if they promise to become Christians, they may marry communicants (c. 31 Laodicea).

COSTANDERS: The lapsed and other offenders, after passing a certain time first as hearers, then as prostrators, are to be received as communicants in prayer, or costanders, and this is the last degree of

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81. In some canonical collections, the full reading of this canon appears as an epilogue.

penance before restoration to full communion (c. 11, 12, 13 I; c. 4, 5, 6, 8, 9, 16, 24, 25 Ancyra).

COUNTRY PRIESTS: Country priests are not allowed to serve in the city except in the absence of the bishop and the city priests and with their approval (c. 13 Neocaesarea). Country priests are not allowed to send canonical letters, except to neighboring bishops (c. 8 Antioch). See also LETTERS.

Presbyters in villages or country districts must do nothing without the consent of the bishop of the city (c. 57 Laodicea).

COURTS: Charges against a bishop should be directed to the ecclesiastical courts and not

to the secular courts (c. 6 II). Similarly, disputes between clergymen must not be brought before secular courts (c. 9 IV). See also ECCLESIASTICAL COURT.[82]

CREED: The Creed of Nicaea was confirmed by c. 1 of the Second Ecumenical Council (Constantinople, 381). The Nicene-Constantinopolitan Creed was confirmed by the Chalcedon Encyclical. The Nicene-Constantinopolitan Creed is the only profession, or symbol, of faith demanded of converts from heathenism, Judaism, or heresy. It is unlawful for anyone to bring forward, to write, or to compose a different profession of faith as a rival to that established by the Holy Fathers assembled with the Holy Spirit in Nicaea (c. 7 III; Chalcedon Encyclical).

The Nicene-Constantinopolitan Creed is to be recited before baptism (c. 46 Laodicea). The creed is to be learned by heart by those who received clinical baptism and afterward were restored to health (c. 47 Laodicea). Certain classes of heretics are required to learn the symbol of faith before reconciliation to the catholic Church (c. 7 Laodicea).

82. These canonical prescriptions were legislated at a time when harmony existed between the Byzantine state and the Church, reflected in the concept of *symphonia* (i.e., symphony, singing with one voice). However, nowadays in the United States of America, according to the principle of separation of church and state, the secular courts do not judge ecclesiastical and doctrinal issues, but they are concerned with the proper, predictable, and verifiable management of the temporal affairs of the Church as an incorporated organization. In each US state, the laws of incorporation governing religious organizations, together with state statutes, are applied to cases in which there is no doctrinal or ecclesiastical matter protected by the First and the Fourteenth Amendments of the US Constitution. See also COMPETENCY.

CRIME: If any accusation of fornication, or adultery, or any forbidden crime be brought against a believer, and he is convicted, let him not be promoted to the clergy (c. 61 Ap). If any presbyters have been advanced without examination and later it is discovered that they committed a crime, or if upon examination they have made confession of a crime, they should be deposed or have the ordination stopped.[83] If the ordaining bishop knew about the crime, he should also be deposed (c. 9 I). See also SIN; DEPOSITION; EXCOMMUNICATION.

CUP: See CHALICE.

CURSE: Curses, along with the delivery to Satan, are forms of anathema. Technically, the curse is an invocation or a prophecy by which rational individuals who destroy the life of others are condemned, and because of them, all things that surround them are also condemned (Gen. 3:17–19; Lev. 26:14–38; Matt. 21:19). Under the Old Testament, the purpose of a curse was to purify both civic and cultic life, while under the New Testament, it is to defend the faith from enemies. The cursed person is left to Satan (Ps. 109:6; Zach. 3:1–2). The synod and the hierarchy may curse someone only for those sins that God himself has already cursed.[84]

Individuals may curse one another, the most common being the curse of parents against their children, though the tendency to curse for simplistic reasons shows immaturity of thought and a misunderstanding of just divine judgment (Prov. 26:2).

A priest who curses and blasphemes God and the saints should be deposed (i.e., suspended) for one year and required to do penance, including fasting and prostrations. If he curses and blasphemes a second time, he should be defrocked (EL 174).

A layperson who curses and blasphemes should be penanced for a year with fasting, prostrations, almsgiving, and reading of the Scriptures (EL 175).

83. Among the crimes that would bar someone from priesthood the commentators mentioned blasphemy, bigamy, heresy, idolatry, and magic.

84. In a recent development, the Russian Orthodox Church cursed and excommunicated a journalist for "satanic lies" because he had (unjustly) accused the abbess of a monastery of scaring people into selling their houses to her "for peanuts." Information gathered from the article, *Church Eexcommunicates Journalist for 'Lies',* News clip by Reuters from *The Moscow Times,* 8/20/09 and published on the website of POKROV (Pokrov.org).

CUSTOM: Custom, along with canonical tradition, is a source of Canon Law. Custom assumes deeply rooted, long, and uninterrupted use (*consuetudo juris*). The Greek term most often translated "custom" is *ethos* (as in c. 6 I) and has this meaning; on a few occasions, the word is *synitheia* (as in c. 2 II), which can be understood as a variation between custom and usage. A custom can be local or general; it is local when it refers to a parish, diocese, metropolis, or even patriarchate, and general when it refers to all Christendom.

Custom that conforms to the fundamental teachings of the Christian faith and is accepted by the Church should be respected as law (c. 6, 7 I; c. 2, 7 II; c. 8 III; c. 28, 30 IV; c. 3, c. 87, 89 Basil the Great); custom can become canon (or law) if accepted by the Church universal and kept unchanged (e.g., the customs based on which St. Cyprian, archbishop of the country of Africans and martyr, established a canon at a synod over which he presided; c. 2 VI).

Churches in heathen nations are to be governed according to ancient custom (c. 2 II).

The custom prevailing in some places of transfer ("passing from city to city") of the bishops, priests, and deacons must cease; if such a situation occurs, the clergyman should be restored to the church for which he was ordained (c. 15 I).

Those who follow the customs of the heathen are to be received to communion after five years of penance (c. 24 Ancyra).

A church may maintain its customs if they are not contrary to ecclesiastical constitutions and the holy canons (c. 8 III; c. 39 VI). A custom contrary to the canons should be done away with (c. 15 I; c. 62 VI).

Many customs in our Church have roots in Holy Tradition: Basil the Great mentioned the making of the sign of the cross, facing east when in prayer, blessing the water at the sacrament of baptism, and so on (c. 91 Basil the Great).

In the church of Egypt there is a custom that the bishops may not do anything without the consent and the order of their archbishop (c. 30 IV).

Since the custom of the church of Rome was to strictly fast on Saturdays of Great Lent[85] contrary to ecclesiastical observance, it

85. Canon 55 of the Sixth Ecumenical Council forbids the custom developed in the Church of Rome to fast strictly (total abstaining from food or eating only dry food at the nineth hour) in order to harmonize it with the Apostolic canon 66, which requires strict fast for only one Saturday of Great Lent, Holy Saturday. In the Greek Orthodox Church the faithful may observe a regular fast (shellfish, oil and wine is allowed) on the Saturdays of Great Lent, but they are expected to fast strictly on Holy Saturday.

was decreed that the canon for the fast should stand (c. 66 Ap) and that those who practice this custom, if clerics, should be deposed and if laypeople, should be excommunicated (c. 55 VI).

The ecclesiastical judges and the confessors should know the things that belong to strictness and those that belong to custom, and they should use them in administering the right *epitimia* for the healing of souls (c. 102 VI).

CUSTOM (PAGAN): Christians who practice divination and follow the customs of the heathen should be canonized—that is, they should abstain from Communion—for five years: three years as prostrators plus two years of prayer without oblation (c. 24 Ancyra). Basil the Great split the penance as follows: one year with the mourners, one year with the hearers, three years with the prostrators, one year with the costanders (c. 83 Basil the Great).

Clergymen who practice pagan customs should be deposed; laypeople should be excommunicated (c. 70, 71 Ap; c. 24; c. 51; c. 61; c. 62, c. 65, c. 71, c. 94 VI).[86]

A clergyman who practices divination by birds or by any other means, or who after the Feast of the Nativity of the Lord bakes cakes made with *semilam* (σεμίδαλις; "fine flour") or anything else on pretext of doing honor to the *puerperia* (childbirth in pain) of the spotless Virgin Maternity, should be deposed (c. 65, 79 VI).

CYNIC, MAXIMUS THE: See MAXIMUS THE CYNIC.

DANCES: When attending weddings, Christians must not join in wanton dances but should modestly dine or breakfast, as is becoming a Christian (c. 53 Laodicea).

86. Christians should not, for example, keep the festivals and the feasts of the Jews (c. 70 Ap), take oil into or light candles in a pagan temple or a synagogue (c. 71 Ap); participate in horse races or theatrical representations (c. 24 VI); participate in spectacles and theatrical dances (c. 51 VI); give themselves to soothsayers or the devil; or join themselves to those who seek incantations, drive away clouds, tell fortunes, give amulets, or take around a bear or other animal (c. 61 Ap). No man should dress as a woman, and no woman should wear garb suitable to a man. Christians should not make salutations in honor of the gods or don comic or satiric tragic masks (c. 62 VI), leap over the fires lighted on the days with full moon (c. 65 VI), go to the theatre and roll in the dust in the manner of the Gentiles (c. 71 VI), bake cakes made with *semilam or fine flour.* honoring the birth of Christ (c. 79 VI), or take heathen oaths (c. 94 VI).

DANGER: Personal danger is an extenuating circumstance in case of lapse (c. 11 I). See also CIRCUMSTANCES, EXTENUATING.

DAYS OF PENTECOST: On the day of the Lord and on the days of Pentecost, Christians should pray standing and not kneeling (c. 20 I; c. 91 Basil the Great).

DEACON: This is the lowest rank among the major clergy. A deacon celebrates divine services with the bishop and the priest but may not conduct them alone. He may give communion to the faithful but is not allowed to prepare it.

A. Disqualifications for the office of deacon

A person to be ordained deacon must not, after baptism, have been twice married or have had a concubine (c. 17 Ap; c. 12 Basil the Great).

He who married a widow, or a divorced woman, or an harlot, or a slave woman, or an actress may not become a deacon (c. 18 Ap; c. 3 VI).[87]

He must not have married two sisters or a niece (c. 19 Ap)

He must not have committed adultery, fornication, or any other forbidden act (c. 61 Ap).

One whose wife committed adultery may not be ordained (c. 8 Neocaesarea).

He must not have castrated himself (c. 22 Ap; c. 1 I), but if castrated by force or for surgical reasons, he may be ordained; if so castrated after ordination, he may remain among the clergy (c. 1 I).

He must not be possessed by a devil (c. 79 Ap); but if the demon was cast out and the candidate is worthy, he may be ordained (c. 79 Ap).

A slave may not be ordained unless manumitted by his master (c. 82 Ap).

One who has lapsed may not be ordained (c. 10 I); if he lapse after ordination and is subsequently restored, he may not officiate, except by the indulgence of the bishop (*economia*; c. 2 Ancyra).

Those who have been steadfast throughout the persecutions, though forced to appear otherwise, may be ordained (c. 3 Ancyra).

One who was recently baptized (i.e., a neophyte) must not be made a deacon (c. 3 Laodicea); but heathenism is not by itself a disqualification for the office of deacon (c. 12 Ancyra).

A deacon is not to be ordained without a charge (i.e., assignment; c. 6 IV).

B. Election of the deacon

A deacon is not to be elected by the multitude (c. 13 Laodicea).

C. Ordination of a deacon

A deacon is to be ordained by a bishop (c. 2 Ap).

He is to be ordained by the bishop of the diocese (c. 9 Antioch); he may not be ordained by a *chorepiscopos* beyond his jurisdiction and without the written consent of the local bishop (c. 13 Ancyra).

He is not to be ordained by a bishop beyond his jurisdiction (c. 22 Antioch).

After leaving his own church, a man is not to be ordained to the diaconate in another church without the approval of his own proper bishop; if this is done, the ordination should be void, and the name of the clergy should be erased from the sacerdotal list (c. 16 I).

D. Duties of a deacon

A deacon is to partake of Holy Communion or give reasons for refusing (c. 8 Ap).

87. The intention of these canons (18 Ap; 3 VI) was to ensure the highest moral conditions for candidates to the ministry. The biblical prescription (Lev. 21: 10–14) is quoted partially in the canons and also included virginity. The legal status of female servants or slaves (who could be abused any time by their masters) and the dubious reputation of actresses barred them from a good moral condition. That understanding was included in the legislation of Justinian's *Novels*, in which clerical candidates were required to marry virgins. For example, *Novel* 6 (How bishops and other ecclesiastics shall be ordained and concerning the expenses of churches), chapter 1 ("Concerning the morals, the life, the honor and the status of the one who is to be consecrated a bishop"), para. 3, stipulates, "Nor can one who has married a wife, who in the beginning was not a virgin, be a candidate for a bishopric; but he should have as his consort a woman who was a virgin when he married her, and not a widow, or separated from her husband, or who had been the concubine of someone else." Chapter 5 of the same text states, "We do not permit anyone to be ordained who is either a deacon or a priest who has either had a second wife or has one now, or is married to a woman who has left her husband, or is living with a concubine, but only where he married a wife who was chaste and a virgin" (Justinian, *Novels*, www.constitution.org/sps/sps.htm).

He is to receive the Eucharist from a bishop or a priest; he is not allowed to administer the Eucharist to priests (c. 18 I).

The bishop has authority over the goods of the church, but deacons and priests should help with their administration and supply those in need (c. 41 Ap). Deacons, along with priests, should join with the bishop in the administration of church funds (c. 25 Antioch).

A deacon is to help a brother clergyman in need with whatever supplies he needs; if he fails to do so, he should be excommunicated, and if he persists in his negligence to help a brother, he should be deposed (c. 59 Ap).

He is to fast during Great Lent and on Wednesdays and Fridays unless prevented by bodily weakness; otherwise, he must be deposed (c. 69 Ap).

The deacon is his bishop's helper and is inferior in rank to the priest (c. 18 I).

The deacons of the poorhouses, monasteries, and martyries are to remain subject to their bishop; if they transgress this rule, they should be subjected to canonical censure (c. 8 IV).

E. Privileges of a deacon

A deacon is to receive his share of those offerings that are not for the sacrifice at the altar (c. 4 Ap).

When in need, a deacon should be supplied with necessities (c. 59 Ap).

Clergymen are not allowed to insult a deacon; one who does so should be excommunicated (c. 56 Ap).

Subdeacons and other minor clergy are not allowed to sit in the presence of a deacon; they may sit only with his permission (c. 22 Laodicea).

A deacon who at his ordination declared his intention to marry is allowed to marry after ordination; but if he was silent on this matter and afterward proceeds to marry, he should be stricken from the diaconate (c. 10 Ancyra). This canon was abrogated by c. 6 VI, which banned marriage after ordination and reestablished the old practice mentioned in c. 26 Ap—namely, that among those who entered the clergy unmarried, only readers and singers were allowed to marry.

A deacon has the right to appeal to a provincial synod against a sentence of the bishop (c. 5 I; c. 6, 12, 20 Antioch).

A deacon who has a complaint against another clergyman should not run to secular courts but rather lay it before the bishop, and if he has a complaint against the bishop he may lay it before the provincial synod; if someone contravenes these rules, let him be subjected to canonical penalties (c. 9 IV).

If a deacon has a complaint against the metropolitan, he may lay it before the exarch of the diocese or the throne of Constantinople (c. 9, 17 IV).

A deacon displaced by heretics or schismatics is to be restored to his proper rank (c. 3 III)

A deacon who has been steadfast throughout persecutions, though forced to appear otherwise, is entitled to all his former privileges (c. 3 Ancyra).

Deacons are to be informed by their bishops regarding what is and is not church property (c. 24 Antioch).

A deacon may communicate at the altar (c. 19 Laodicea).

F. Things forbidden to a deacon

A deacon is forbidden to divorce his wife under pretense of piety; if he does so, he should be excommunicated; if he persists, he should be deposed (c. 5 Ap).

A deacon may not marry after ordination (c. 26 Ap) unless at his ordination he declared that he could not contain himself; but if the deacon is silent on this matter at his ordination and afterward marries, he shall cease service in the diaconate (c. 10 Ancyra). This canon was abrogated by c. 6 VI, which banned marriage after ordination and reestablished the old practice mentioned in c. 26 Ap (among those who entered the clergy unmarried, only readers and singers were allowed to marry).

The deacon ordained as celibate may not marry (c. 26 Ap; c. 6 VI). See also CLERGY.

If a deacon abstains from marriage not because of religious calling but because he considers marriage a sin, he should be deposed and cast out of the Church (c. 51 Ap).

A deacon must not have any woman dwelling with him, except his mother, or sister, or aunt, or such persons only as are beyond all suspicion (c. 3 I).

A deacon is not allowed to wash in a bath with women, for this is the greatest reproach among the heathen (c. 30 Laodicea).

A deacon is not allowed to engage in worldly business; that is, he should not lease or rent property, engage in business, or occupy himself with worldly engagements; the only exception is the guardianship of minors when the law so requires; otherwise, he should be deposed (3 IV).

A deacon is not allow to meddle with ecclesiastical business except by the direction of the bishop; whoever transgresses this decree should be subjected to ecclesiastical penalties (c. 3 IV).

If a deacon serves in the army and wishes to retain both the Roman magistracy and the priestly office, let him be deposed (c. 83 Ap; c. 7 IV).

A deacon who endorses businesses or secular affairs should be deposed; however, he is allowed to endorse philanthropic or church endeavors (c. 20 Ap).

A deacon is not allowed to charge interest from people to whom he has lent money (c. 44 Ap; c. 17 I; c. 10 VI).

A deacon is not allowed to read false and heretical books in church as Scripture; if he does so, he should be deposed (c. 60 Ap).

A deacon is not allowed to compose or use a creed other than the Nicene Creed; if he does so, he should be deposed (c. 7 III).

A deacon is not allowed to join in prayer with heretics or schismatics; if he does so, he should be deposed (c. 45 Ap; c. 33 Laodicea).

A deacon must not allow heretics to perform any clerical office; if he does so, he should be deposed (c. 45 Ap).

A deacon must not admit the baptism or the sacrifice (i.e., Eucharist) of heretics; if he does so, he should be deposed (c. 46 Ap).

A deacon must not receive *eulogiae* from the heretics. See also BREAD.

A deacon may not attend or communicate at the services of the heretics in cemeteries or martyries; if he does so, he should be excommunicated for a time, but if he repents and confesses, he shall be received back (c. 9 Laodicea).

A deacon may not marry his children to heretics unless the heretics promise to become Christians (c. 9, 31 Laodicea).

A deacon may not receive portions sent from the feasts of Jews or heretics, nor feast together with them (c. 37 Laodicea).

A deacon may not enter into a synagogue of the Jews or heretics to pray; if he does so, he should be deposed (c. 64 Ap).

A deacon is not allowed to celebrate Easter before the vernal equinox, during the Jewish Passover; if he does so, let him be deposed (c. 7 Ap; c. 1 Antioch).

A deacon is not allowed to fast together with the Jews or to receive portions from Jewish festivals (c. 70 Ap; c. 37 Laodicea).

A deacon is not permitted to receive unleavened bread from the Jews; if he does so, he should be deposed (c. 70 Ap; c. 38 Laodicea).

A deacon is not allowed to feast with the heathen (c. 39 Laodicea); a deacon is not allowed to join in prayer with the schismatics (c. 2 Antioch; c. 33 Laodicea).

A deacon is not allowed to gather a separate congregation and raise an altar; if he does, he should be deposed (c. 31 Ap; c. 5 Antioch; c. 8 IV).

A deacon is not allowed to communicate with the excommunicated; if he does so, he shall be excommunicated (c. 10 Ap; c. 2 Antioch).

A deacon may not communicate with a bishop who obtained his diocese through secular rulers; if he does so, he should be deposed and excommunicated (c. 30 Ap).

A deacon may not communicate with a clergyman who celebrates Easter at the same time as the Jewish Passover; if he does so, he will be deposed (i.e., defrocked) and deprived of any external honor (c. 1 Antioch).

A deacon is not allowed to communicate with a clergyman who after his deposition meddles with his former ministry; if he does so, he should be cast out of Church (c. 4 Antioch). A deacon is not allowed to communicate with a deposed clergyman; if he does so, he will also be deposed (c. 11 Ap).

A deacon may not leave his parish, with no exception; if he does so, he should be restored to the parish from which he came (c. 15 I; c. 5, 20 IV); he may transfer from his parish with the consent of the bishop (c. 15 Ap; c. 3 Antioch) or if he is driven by necessity from his own country (c. 20 IV), but if he

breaks the rules he may be excommunicated or his ordination made invalid (c. 15 Ap; c. 15, 16 I; c. 3 Antioch).

A deacon may not be enrolled in two parishes at the same time. If he is lawfully transferred to another parish, he is not allowed to meddle with the affairs of the former parish; if he dares to meddle in the affairs of the former parish, he should be demoted (c. 10 IV).

A deacon is not allowed to do anything without the consent of the bishop (c. 39 Ap; c. 57 Laodicea).

A deacon may not address the emperor without the consent of the metropolitan and of the provincial bishop; if he does, he should be deposed and cast out. If necessary business requires the deacon to go to the emperor, he must go with the advice and the consent of the metropolitan and provincial bishops (c. 11 Antioch).

A deacon may not officiate in another city without commendatory letters from his own bishop (c. 13 IV).

A deacon may not travel outside of his parish without the bishop's consent (c. 41 Laodicea) or without a canonical letter (c. 42 Laodicea). See also LETTERS.

A deacon is not allowed to take from the church candles or oil; if he does so, he should be excommunicated and restore a fifth more than he took (c. 72 Ap).

A deacon may not appropriate the Church's vessels or to use them for private purposes; if he does so, let him be excommunicated (c. 73 Ap).

At the death of his bishop, a deacon may not seize his property; one who does will be in danger of demotion (c. 22 IV).

A deacon may not receive Holy Communion before the bishop or the priest. He may not give communion to priests, but he must receive Holy Communion from the bishop or the priest; anyone who disregards this canon should be deposed (c. 18 I).

A deacon may hold a high ecclesiastical office, but he is not at liberty to sit before the presbyters, except when he acts as representative of the patriarch or of the metropolitan; if he dares to do so, he should be deposed from his rank (c. 18 I; c. 20 Laodicea; c. 7 VI).

If deposed, a deacon is not allowed to meddle with the divine offices; if he does so, let him be cut off from the Church (c. 28 Ap; c. 4 Antioch).

A deacon is not allowed to obtain possession of his dignity by money (i.e., through simony); in such a situation, both the ordainer and the ordained should be deposed (c. 29 Ap; c. 2 IV). See also SIMONY.

A deacon is not allowed to negotiate shameful and unlawful transactions; if he does so, he should be deposed from his rank (c. 2 IV).

A deacon may not receive a second ordination unless the first one was invalid (e.g., conducted by heretics); in such a situation, both the ordainer and the ordained should be deposed (c. 68 Ap).

A deacon who despises his bishop and builds another congregation and raises another altar should be deposed (c. 31 Ap; c. 5 Antioch; c. 10, 11 Carthage).

A deacon who abstains from marriage not because of religious calling but because he considers marriage a sin, should be deposed and cast out of the Church (c. 51 Ap).

Similarly, if a deacon abstains from meat or wine not because of the Church's discipline but because he abhors them, he should be deposed and cast out of the Church (c. 51 Ap); but if he tastes the meat and eats the herbs served with the meat, he may stay on (c. 14 Ancyra).

A deacon may not eat flesh with the blood or eat animals that were slain by beasts or died a natural death; if he does so, he should be deposed (c. 63 Ap).

A deacon is not allowed to fast on Sundays or on Saturdays, except for Holy Saturday of Easter; if he does so, he should be deposed (c. 66 Ap).

A deacon is not allowed to join in clubs dedicated to drinking and entertaining (c. 55 Laodicea).

A deacon shall not eat in a tavern unless he is on a journey; if he breaks this rule, he will be excommunicated (c. 54 Ap).

If a deacon is invited to a love feast, he is not allowed to take away his portion (c. 27 Laodicea).[88]

88. Taking away the leftovers from an agape may show covetousness and may bring shame on the order.

A deacon should not attend plays at weddings and banquets (c. 54 Laodicea).

A deacon is forbidden to castrate himself; if he does so, he should be deposed (c. 23 Ap; c. 1 I).

A deacon is not allowed to strike the faithful who have sinned or unbelievers who have done wrong; if he does so, he should be deposed (c. 27 Ap). See also STRIKE/BLOW.

A deacon is not allowed to insult a bishop, a priest, or another deacon; if he does so, he should be excommunicated (c. 56 Ap).

A deacon is not allowed to insult the emperor (i.e., civil authority) or a magistrate; if he does so, he should be deposed (c. 84 Ap).

A deacon is not allowed to mock the infirm; if he does so, he should be excommunicated (c. 57 Ap).

If a deacon, out of fear of men (whether Jew, heathen, or heretic) denies the name of Christ, let him be cast out. If he denies the name of a clergyman, let him be deposed. If he repents, let him be received as a layman (c. 62 Ap).

A deacon is not allowed to sit among the priests; if he refuses to obey this decree he should be deposed (c. 18 I).

A deacon is not allowed to sit in the presence of a priest unless he receives permission (c. 20 Laodicea).

A deacon should not practice magic, enchantment, mathematics, or astrology; nor he is allowed to make amulets. Those who wear such should be cast out of the Church (c. 36 Laodicea).

If a deacon has a complaint against another clergymen, he is not allowed to forsake his own bishop and run to secular courts; if he contravenes this decree, let him be subject to canonical penalties (c. 9 IV).

A deacon may not be convicted of any offense on the evidence of those who are themselves under accusation (c. 6 II); the accusers of a deacon should be examined concerning their character (c. 21 IV).

If a deacon appeals to the emperor (i.e., civil authorities) instead of the synod against a sentence of deposition, he may not be restored, and his cause may not be reheard by the synod (c. 12 Antioch).

G. Penalties to be inflicted on a deacon

See SUSPENSION OF A DEACON, DEPOSITION (REASONS FOR), EXCOMMUNICATION, ANATHEMA.

H. General regulations concerning a deacon

A deacon who is excommunicated for just cause by his bishop may not be restored by any other bishop unless it happens that the bishop who excommunicated him is dead (c. 32 Ap; c. 5 I); if the excommunication was provoked by the "ungracious disposition of the bishop," the synod will investigate (c. 5 I).

A deacon excommunicated or suspended may not be received by others unless he is restored by his bishop or after a successful defence to the synod, the sentence is overturned by the synod (c. 6 Antioch).

A suspended or excommunicated deacon may not be received in another city without commendatory letters; otherwise, both the receiver and the received should be excommunicated (c. 12 Ap). See also LETTERS.

If a deacon leaves his parish without approval and makes his abode in another parish, he is not allowed to officiate divine services; if he refuses to return to his own parish or officiates services, he should communicate as a layman (i.e., he should be defrocked; c. 15 Ap).

A deacon may not be received from abroad without commendatory letters; but even if he brought commendatory letters, he should be examined (c. 33 Ap).

A deacon who prayed with heretics should be excommunicated, but if he allowed them to officiate, he should be deposed (c. 45 Ap).

A deacon who despising his bishop, gathers another congregation, erects an altar, no having grounds for condemnation of his bishop, let him be deposed (c. 31 Ap; c. 5 Antioch).

An excommunicated deacon may not bring accusation against a bishop (c. 6 II).

A deacon making accusations against another clergyman is to be examined concerning his character (c. 21 IV).

If restored, a lapsed deacon is entitled to his former honor, but he may not officiate the divine services, except by the indulgence of his bishop (*economia*) (c. 2 Ancyra).

A deacon who leaves his parish without authorization and, going to Constantinople, causes disturbances there, after one notification from the advocate of the city, should be expelled from the city (c. 23 IV).

A deacon who dares to celebrate Easter at the time of the Jewish Passover is to be deposed, along with those who communicate with him. And the deposed will be deprived even of the external honor of the rank (c. 1 Antioch).

If a deacon abstains from meat, he should taste it once, and afterward he may

abstain; but if he disdains it and will not even eat vegetables cooked with the meat, he

should be deposed (c. 14 Ancyra).

If a deacon, after ordination, confesses that he had committed carnal sin, he may not perform any more his diaconal duties and should be degraded to the rank of a subdeacon (c. 10 Neocaesarea).

If the wife of a deacon commits adultery, he must divorce her; if he retains her, then he should desist from his ministry (c. 8 Neocaesarea).

For a great city, seven deacons should be appointed, according to the Scriptures (Acts 6:1-6); c. 15 Neocaesarea).

A deacon of the Cathari, who have been reconciled with the catholic Church, retains his orders and rank but must promise that he will communicate with digamists (c. 8 I). A deacon of the Paulianists, reconciled to the catholic Church, if worthy should be ordained; if not, he should be deposed (c. 19 I). A deacon ordained by Maximus the Cynic is declared not a clergyman (c. 4 II). A deacon of the Phrygians, reconciled with the catholic Church, is to be instructed and baptized before ordination (c. 8 Laodicea).

DEACONESS: Some theologians believe that that the deaconesses of the early Church had an apostolic institution and that the office's existence was referred to by St. Paul (Rom. 16:1; Phoebe as a διάκονος of the church in Cenchrea) or that the widows mentioned in 1 Timothy 5:9 were in fact deaconesses. Those widows had to be

over sixty years of age and had to take a vow of chastity, for their remarriage would bring on themselves "damnation, because they have cast off their first faith" (1 Tim. 5:12).[89]

The principal work of the deaconesses was to assist female candidates for holy baptism. At that time, baptism was always done by immersion, and candidates entered the waters naked. The most ancient sources (*eulogiae*) make clear that the deaconesses belonged to the minor order and did not have liturgical or sacramental authority. St. Epiphanius testified that members of the order (τάγμα) of deaconesses were "only women-elders, not priestesses in any sense, [and] that their mission was not to interfere in any way with Sacerdotal functions, but simply to perform certain offices in the care of women."[90] The order lasted a short while. The Council of Laodicea, as early as 343–381, forbade the appointment of the presbytides, and the First Council of Orange (441) in its c. 26 forbade the appointment of deaconesses altogether.

In the baptism of the early Church, the following was standard practice: "O Bishop, or a presbyter that is under thee, shall in the solemn form name over them the Father, and the Son, and the Holy Spirit, and shall dip them in the water; and let a deacon receive the man, and a deaconess the woman, that so the conferring of this inviolable seal may take place with a becoming decency" (AC 3.16).

"It is not lawful for a subdeacon to separate [order, command] either one of the clergy or laity; nor for a reader, nor for a singer, nor for a deaconess, for they are ministers to the deacons" (AC 8.28).

"A deaconess does not bless, not performing anything belonging to the order of presbyters or deacons, but only is to keep the doors, and to minister to the presbyters in the baptizing of women, on account of decency" (AC 8.28).

A deaconess must be a chaste virgin (AC 6.17). As virgins, and before ordination, deaconesses were consecrated as virgins by the bishop (c. 6 Carthage) and received a special vestment.

A deaconess is not to be ordained before forty years of age, nor without examination; she is forbidden to marry. If she gives herself

89. Cf. Tertullian, *De Vel. Vergine* 9.
90. Epiphanius, *Heresies*, 79.iij.

in marriage, she shall be anathematized, along with the man united with her (c. 15 IV).[91]

The wife of him who is advanced to the episcopal dignity shall be separated from her husband by their mutual consent, and after his ordination and consecration to the episcopate, she shall enter a monastery situated at a distance from the abode of the bishop; there let her enjoy the bishop's provision. And if she is deemed worthy, she may be advanced to the dignity of a deaconess (c. 48 VI).

A deaconess of the Paulianists, reconciled with the catholic Church, if worthy may be ordained; but Paulianist deaconesses who appear in the habit of that order are to be numbered among the laity (c. 19 I).

DEAD: Holy Communion may not be given to the bodies of the dead (c. 83 VI; c. 18 Carthage); likewise, the dead may not be baptized (c. 18 Carthage).

DEAF: A deaf person may not be a clergyman, that "the affairs of the Church may not be hindered" (c. 78 Ap). Clergymen and laypeople are not allowed to mock the deaf; whoever does that should be excommunicated (c. 57 Ap).

DEBTORS: Clergymen are not allowed to extract usury (i.e., interest) from debtors; if they do not give up doing this, they should be deposed (c. 44 Ap; c. 17 I; c. 4 Laodicea).

DECEPTION: If any who have lapsed have been ordained through the ignorance, or even with the previous knowledge of the ordainers, this shall not prejudice the canon of the Church; for when they are discovered they shall be deposed (c. 10 I).

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91. The civil law of Justinian (*Novel* 6.6, last para.) went further and required the death penalty and the confiscation of property from deaconesses who dared to marry: "All women who are ordained deaconesses must, at the time of their ordination, be instructed in the duties of their office, and have the precepts of the sacred canons communicated to them in the presence of the other deaconesses, in order that they may fear God and have confidence in their holy order; and they are hereby notified that if they should regret having received ordination, or, having abandoned their sacred office, they should marry, or choose any other kind of life, they will render themselves liable to capital punishment and the confiscation of their property by the holy churches or monasteries to which they are attached. Any persons who may be so bold as to marry or corrupt them shall, themselves, be liable to the penalty of death, and their property shall be confiscated by the Treasury." Justinian, *Novels*, www.constitution.org/sps/sps.htm).

A deacon who declared at his ordination the intention to marry is allowed to marry after ordination; but if he kept silence and he takes a wife afterward, let him be cast out (c. 10 Ancyra).

If any children forsake their parents under the pretense of piety, saying that they honor more God than the parents, let those children be anathema (c. 16 Gangra).

If anyone be found so mad or bold as to attempt to obtain a jurisdiction by pretending that he received letters from the multitude, in fact from a few persons, corrupted by bribes and rewards, asking him to be their bishop, then these practices and devices should absolutely be punished and the perpetrator should be treated not as a bishop but as a layman, not worthy to receive communion on his deathbed (c. 2 Sardica).[92]

Those who pretend that they are possessed by a devil should be punished and be subjected to the same afflictions and hardships as those who are truly demonically possessed (c. 60 VI).

Because some Jews converted to the religion of Christ in order to deny him and in private secretly keep the Sabbath and observe other Jewish customs, such people should not be received to communion, or to prayers, or into the church (c. 8 VII).

The synod decreed that no one is allowed to erect a monastery without the knowledge and approval of the local bishop; the functioning of the monastery and the election of the abbot also should be done under the approval of the bishop (c. 1 Constantinople I–II).

The Holy Synod decreed that those entering monastic life must come for the right reason and to submit fully to the rules of monastic life, being instructed and tonsured by the abbot; if someone tonsured a monk without the knowledge of the abbot, that person should be deposed because tonsuring wrong people stains the monastic schema and blasphemes the name of Christ (c. 2 Constantinople I–II).

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92. Canon 2 along with canons 1, 3, 5, 8, 9, 11, 13 to 18 and 20 of Sardica are a good exemplification for conciliar [consensus] work of the synods of bishops. The minutes of the sessions recorded a subject of discussion in a formal proposal, the *relatio,* and the assembly of the bishops expressed their opinions in the form of *sententiae.* The presider of the synod [here, Hosius of Cordova, once capelan of Constantine the Great] brought the matter to vote by asking, "*Si hoc omnibus placet?*", and the assembly would answer with, "*Placet.*" (See Hamilton Hess, *The Early Development of Canon Law and the Council of Sardica,* (Oxford: Oxford University Press, 2002) 62-63.

Clergymen who strike (i.e., hit or beat) the faithful are to be deposed; but if some of them through deception prompt other people to strike, they are to receive the same punishment as those who strike (c. 9 Constantinople I–II).

If any deacon has his lips tainted[93] and has confessed to having sinned to this extent, he shall be suspended from the liturgy, but he will be allowed to receive Holy Communion with the rest of the deacons; the same rule shall apply to presbyters. But if anyone is caught doing anything in excess of this, no matter what his rank, he shall be deposed from the office (c. 70 Basil the Great).

If any clergymen professes verbally the interdiction to have a *subintroducta*[94] in the house, but he does the things done by those who cohabit with women, it is plain that he is forfeiting the respectability of virginity that resides in the appellation and is not actually abstaining from improprieties in the matter of sensual pleasure (c. 88 Basil the Great).

Those who did as David did when he was fleeing from Saul and pretended to be a lunatic (an epileptic) before King Achish in order to escape death—those people who used all kinds of trickery in order that they may not offer sacrifices to the idols, or put heathens in their stead to offer sacrifices—those people are to be canonized with six months in consideration of their repentance (c. 5 Peter of Alexandria).

Being ignorant of the laws of the Church, a man called Maximus contracted an unlawful marriage and was eventually excommunicated for ten years. Theophilos, Archbishop of Alexandria, instructed bishop Agatho to ascertain by actual test that they [Maximus and his former wife] were abstaining from unlawful cohabitation by agreement and were not deceiving us, "and if you see fit to admit them to the status of catechumens so far, govern accordingly" (c. 13 Theophilos of Alexandria)[95].

Apocryphal books are an invention of the heretics, who wrote them by adding to them dates and years in order to show them as

93. Kissed amorously by a woman who is not his wife.

94. See below the entry *SUBINTRODUCTA*.

95. Canon 13 of Theophilos of Alexandria appears in NPNF 2.14: 614 as Letter to Bishop Agatho and not as a canon, but is listed as canon 13 in the *Rudder*, Milash and Floca. This canon is important because it offers a solution for unlawful marriages entered through ignorance.

ancient documents, thus deceiving honest individuals (c. 3 Athanasios the Great).

DEDICATED VIRGIN: A priest may not consecrate virgins; only the bishop may do so (c. 6 Carthage. Once consecrated, the dedicated virgins are not allowed to marry; if they do, they should be excommunicated. The bishop shall have the power of indulgence (*economia*) toward them (c. 16 IV).

The virgins dedicated to God, monastics (both monks and nuns), and those in the clergy who are celibates may not marry; if they do, let them be excommunicated, though the bishop may exercise *economia* (c. 16 IV; c. 6 Basil the Great).

Women who are professed virgins are not allowed to reside with men, even if they are brothers in faith or monks (c. 19 Ancyra).

If a dedicated virgin commits fornication, she is to fulfill the penance of the digamists (c. 19 Ancyra); those who profess virginity but are not monastics and eventually disregard their profession and get married should be canonized as those who enter a second marriage, digamists—with one year of excommunication (c. 44 Carthage; c. 15, 16 I; c. 1 Neocaesarea). However, Basil the Great believed that if they were mature at the time of vows, they should be penanced more severely than widows professing continence or adulterers (c. 18 Basil the Great).

Neither clerics nor those who have professed virginity should enter the houses of the widows or virgins without the approval of bishops or presbyters. If they must enter, they are to be accompanied by other clergy; not even bishops or presbyters shall go alone into their houses (c. 38 Carthage).

Professed virgins who leave the house of their parents are commended to the care of bishop or presbyter; if these guardians are absent for a time, they should commend the virgins to the care of older and virtuous women, lest they wander about and the reputation of the Church be hurt (c. 44 Carthage).

Underage girls (younger than sixteen or seventeen) brought to the monastery who took vows of virginity before this age should be canonized with fifteen years of excommunication if they marry (c. 18 Basil the Great; c. 19 Ancyra).

Whoever has veiled or shall veil a virgin (i.e., clothe her in the habit) before she is twenty-five years of age, being forced on account of a powerful lover, a ravisher, or a deadly disease, provided that

those who have the charge of her so exhort, shall receive no punishment from the synod concerning her age (c. 126 Carthage).

Monastics and professed virgins who fall into sexual sin commit fornication, and they are penanced as adulterers (fifteen years of excommunication; c. 60 Basil the Great).

Anyone living a virgin life for the Lord's sake who treats arrogantly the married shall be anathema (c. 10 Gangra).

Women professing virginity, though they married while they were heretics or catechumens, are pardoned by baptism. What is done by people as catechumens is never laid to their charge (c. 20 Basil the Great). See also VIRGINITY.

DEFECT (BODILY): If someone is deprived of an eye or lame of a leg, but otherwise able in physical and psychic aptitudes, he may become a clergyman (c. 77 Ap). A person who is deaf or blind may not be a clergyman (c. 78 Ap).

DEFENSE: A deposed clergyman who meddles in the affairs of his former parish or diocese is not allowed to make a new defense before the synod—that is, he deprived of the right to appeal (c. 4 Antioch). See also APPEAL.

A deposed clergyman who appeals to the emperor (i.e., civil authority) rather than the synod is not entitled to pardon, loses the right to appeal before the synod, and may not have hopes of restoration (c. 12 Antioch).

A bishop deposed through the unanimous sentence of the provincial synod may not make any further defense (c. 15 Antioch).

A priest or a deacon who leaves his parish without approval and refuses to return should be deposed with no further right to defense and no hopes of restoration (c. 3 Antioch).

A priest or a deacon who, despising his bishop gathers a separate congregation, raises an altar, and if summoned twice by the bishop refuses to obey, should be deposed with no further remedy—no right to defense—and no possibility of regaining his rank (c. 5 Antioch).

DEGRADATION: Degradation is also known as demotion.

A bishop may not be demoted to the rank of presbyter, because if he is not worthy to conduct the holy mysteries as a bishop, he cannot be worthy to conduct them as a priest (c. 29 IV). Degradation of a bishop to the rank of priest is a sacrilege; if he is guilty, he

is not worthy even of priesthood; but if he is displaced without any charge, he should be restored to the episcopal dignity (c. 29 IV).

Clergymen seizing the property of a bishop after his death shall be in danger of degradation from their own rank (c. 22 IV).

A bishop may not put to sale a grace which may not be sold; any ordination or appointment done for money should be without effect, and the ordainer shall forfeit his rank (i.e., be degraded; c. 2 IV; c. 22 VI).

A bishop is not allowed to obtain an imperial rescript (i.e., appeal to secular powers) to divide a province; a bishop who does that should be degraded from his rank (c. 12 IV).

A clergyman who refuses a promotion bestowed on him by the bishop should be degraded from the position that he did not want to leave (c. 31 Carthage).

A deacon may not be enrolled in two parishes in the same time. If he is lawfully transferred to another parish, he is not allowed to meddle with the affairs of the former parish; if he dares to meddle in the affairs of the former parish, he should be degraded from his rank (c. 10 IV).

If a deacon, after ordination, confesses that he had committed carnal sin, he may not perform any longer his diaconal duties and should be degraded to the rank of a subdeacon (c. 10 Neocaesarea).

It is unlawful for any man to bring forward a profession, or symbol, of faith different from the one issued at Nicaea in 325. Those who hold and teach doctrines contrary to the incarnation of the only begotten Son of God should be subject to severe ecclesiastical penalties: bishops should be removed from their bishoprics and degraded, clergymen should be stricken from the clergy, and laypeople should be anathematized (c. 7 III).

The erection of a new metropolis by dividing the province in two by means of imperial rescripts is not allowed; a bishop who attempts to do so shall be degraded (c. 12 IV).

It shall not be lawful for a bishop to teach publicly in any city that does not belong to him. If anyone is observed doing this, let him cease serving his episcopate and be discharged [degraded] to the office of presbyter[96] (c. 20 VI).

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96. Zonaras and Balsamon think that the bishop cannot be deposed from the office of Episcopate, but that in situations like this he loses his Episcopal functions and has to act as a presbyter; Aristenus, on the other hand, believed that the bishop can

Bishops who separate themselves from the synod through apostasy or by joining heretics are to be deposed from the priesthood and degraded from their rank (c. 1, 2 III).

DEPOSED: A clergyman legally deposed enters the ranks of laypeople and is not allowed to perform any clerical duty (c. 27, 28 Carthage; c. 8 Nicholas of Constantinople[97], c. 21 VI).

The deposed who dare to perform sacraments, liturgical services, or any ministerial function should be cut off completely from the Church (i.e., major excommunication; c. 28 Ap). Furthermore, those knowledgeable about the deposition who dare to communicate with him should be cast out of the Church (c. 4 Antioch).

A deposed clergyman who repented of the sin for which he was deposed will be allowed to keep the external signs of the clerical position (c. 21 VI).[98]

Anyone who communes with a deposed clergyman should be cut off the Church (c. 4 Antioch). A clergyman who joins in prayer—that is, concelebrates—with a deposed person should be deposed (c. 11 Ap).

A bishop may not be deposed by two bishops, but only by the synod (c. 2 Constantinople [394]). If the synod cannot gather, the deposition of a bishop must be pronounced by twelve bishops, the deposition of a priest by six bishops, and that of a deacon by three bishops; the deposition of minor clergy may be pronounced by one bishop (c. 12, 20, 100 Carthage).

A clergyman deposed by the synod who dares to perform sacraments and services may not appeal to any synod in his defense or for restoration to his previous dignity (c. 4 Antioch).

The deposition pronounced by heterodox bishops against an Orthodox clergyman is null (c. 3 III).

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be deposed, and this deposition is an exception to the requirements of c. 29 IV, which interdicts the demotion of bishop to the rank of presbyter. See commentaries to c. 20 VI in NPNF 2.14: 375.

97. C. 8 of Nicholas of Constantinople is listed in Floca, *Canoane,* 520-521 and Milash, *Canons,* II, 2, 254-255, but not in NPNF2-14 or *Rudder.*

98. The canon discusses a permanent deposition and a temporary deposition. The permanent deposition is given for very serious sins, such as heresy and sins against the Holy Spirit; it results in losing the grace of priesthood, and consequently the person is laicized. If such a person repents, he is allowed to cut his hair in the manner of the priests. Temporary deposition, or suspension, is given for other sins; the clergy does not lose the grace of priesthood but is barred from the priestly sacraments and services.

DEPOSITION (GENERAL): Serious canonical infractions committed by a clergyman lead to deposition; through deposition, the grace of priesthood given in the sacrament of holy ordination is removed from the unworthy clergyman. The unworthiness must be sanctioned by the ecclesiastical court based on scriptural and canonical norms.

The deposed clergyman is not allowed to perform priestly functions, permanently or for a period of time; however, the seal of priesthood remains with him, as it was attached to his being permanently. The ordination may not be annulled, but the liturgical and sacramental acts may be annulled by canonical deposition.

Deposition is imposed for teachings against dogma of the Church, teachings for which Jesus Christ, the Holy Apostles, and the Holy Fathers steadfastly fought, and for which some of them paid with their lives. For example, Maximus the Cynic "never was and is not now a bishop"; those ordained by him are not clergy, and all their ministerial and sacramental acts are invalid, "since all which has been done concerning him or by him, is declared to be invalid" (c. 4 II).

Deposition is also inflicted on the following:

- clergymen who misrepresent the truth of the faith through heresies (Rev. 2:4–5, 3:15–19) or missionary negligence (c. 3, 29, 45, 46, 47, 49, 50, 58, 62 Ap; c. 2 IV; c. 3 VI; c. 2 Constantinople I–II)
- a clergyman who does not take care of the moral and spiritual life of his flock, himself living in indolence and immorality, leading others to folly and loss (Gal. 5:19; 1 Cor. 3:3, 6:9–10; Eph. 3:3–6; James 3:14–15; c. 5, 22, 23, 27, 44, 58 Ap; c. 10, 17 I; c. 22 IV; c. 3, 4, 6, 10, 12, 13, 23, 50 VI; c. 16 Constantinople I–II)
- a clergyman who commits liturgical sins (c. 1, 46, 47, 49, 50, 56 Ap.; c. 10 Antioch; c. 31, 32, 50, 55, 59 VI; c. 7, 10 VII; c. 10, 12 Constantinople I–II)
- a clergyman who exercises exaggerated harshness against himself or against his flock (c. 32, 52, 66, 68, 84 Ap; c. 13 Antioch; c. 13, 14 Constantinople I–II).
- a clergyman who shows crass disobedience and lasting opposition to the truth (c. 31, 55, 84 Ap; c. 15 Antioch; c. 10 IV; c. 10 VI; c. 13, 14, 15 Constantinople I–II).

DEPOSITION (HOW IT IS DONE): Complete and permanent deposition, defrocking, (παντελεῖ τε καὶ διηνεκεῖ καταιρέσειV) (perfectae ac perpetuae depositione) is supposed to be conducted by the bishop, in church, in the following manner: the sentence of the spiritual court is read by the officiating hierarch, who then proceeds to the unvest the deposed clergyman. After he removes the phelonion and the epitrachelion, the hierarch says, "Today you are called for the last time presbyter of the Heavenly God; from now on you are stripped of the gift of priesthood with which you lauded and adorned yourself in the society of men... Today the grace is taken from you, grace acquired from the heaven at the holy ordination and now you return among the laypeople."[99] After saying that, the celebrating hierarch pronounces the deposed clergy *anaxios* ("unworthy") and "cuts his beard at the right and the left side, and then cuts the hair of the head in three places," each time pronouncing the deposed clergy unworthy (EL 318). In the rite of deposition, each piece of the clergy's vestment is removed by the hierarch, and for each one of them the deposed clergyman is declared *anaxios*.[100]

Deposed bishops return to their previous status, most of the time to that of monk, as they were recruited from among monks (and the monks belong to the laity). The names of the deposed clergymen are expunged from the clergy register (c. 51 Ap; c. 16, 17 I; c. 1 Antioch).

In practice, the rite of deposition is extremely rarely performed; among the reasons for this situation are the following: (1) The synod or the competent hierarch may feel that the former clergyman has already been punished; thus, stripping him in a public service would be another punishment for the same canonical infraction, a situation not allowed by Canon Law; see c. 25 Ap and PUNISHMENT (TWICE FOR THE SAME OFFENSE). (2) The deposed clergyman might not appear in the ecclesiastical court or for the rite of deposition.

A tool for enforcing the execution of the rite of deposition might be the strict application (*akriveia*) of c. 28 Ap and c. 4 Antioch.

99. Commentaries on c. 21 VI by Nikodim Milash, *Canons*, I,.2,376–385. Regarding the same canon, Milash raised the question whether a clergyman can ask to be laicized. See also LAICIZATION.

100. The formula of deposition can be found in the Athenian *Syntagma*, 5:571–572. St. Gregory the Great called the deposed clergyman an *expresbyter*.

The deposition should be made public so that the rest of the priests and the laypeople are aware of who was deposed and is no longer allowed to perform sacraments and services or offer blessings.[101]

An interesting situation is that of Maximus the Cynic, who managed to be ordained in 379 as Bishop of Constantinople by deceiving, among others, St. Peter of Alexandria, St. Gregory of Nazianzus, and St. Ambrose of Milan.[102] The Second Ecumenical Council declared that Maximus the Cynic "never was and is not now a bishop" and that "those who have been ordained by him are in no order whatever of the clergy, since all which has been done concerning him or by him, is declared to be invalid" (c. 4 II). This was not a permanent deposition, as Maximus was not a canonical bishop in the first place.

DEPOSITION (REASONS FOR): A clergyman is canonized (i.e., sanctioned) with deposition when he does any of the following:

- brings to the altar things other than the ones established by the Lord and his Church (c. 3 Ap)[103]
- puts away (divorces) his wife under pretense of religion (c. 5 Ap; c. 13 VI)
- communes or prays with another deposed clergyman (c. 1 Antioch)
- is guilty of fornication, perjury, or theft (c. 25 Ap; c. 4 VI; c. 3 Basil the Great; c. 42 John the Faster)

101. The Greek Orthodox Archdiocese publishes the names of the priests suspended or defrocked in its magazine, The Orthodox Observer, and in its *Yearbook*. In the past, the names of the defrocked priests were divulged in letters sent to all clergymen and parishes. For example, the Synod of the Patriarchate of Constantinople, by Protocol 14, issued on February 4, 1969, communicated: "Be it known that, Presbyter N.P., former priest of the [Name] Greek Orthodox Church of [City], in the [State], is placed under the lowest penalty and is hereby deposed from the Holy Orders of the Priesthood and reduced to and returned now among the class of 'laypeople.'" Further, Protocol 14 ordered, "Let no one of the clergy dare become vested with him or co-celebrate in any of the Church Services with him, nor should any of the laity accept him as priest or honor him or kiss his hand or accept any blessing from him."

102. A description of the events and characters of this extraordinary story can be found in the commentary to c. 4 of the Second Ecumenical Council, in Seven Ecumenical Councils of the Undivided Church, ed. Henry Percival, Nicene and Post-Nicene Fathers 14:179–181.

103. Banned products include honey, milk, raki, birds, living things, vegetables, and so on.

- strikes any person (c. 27 Ap; c. 9 Constantinople I–II)
- kills any person (c. 65 Ap; c. 55 Basil the Great)
- gains the dignity of clergy by money (both he and the one who ordained him should be deposed; c. 29 Ap; c. 2 IV; c. 22 VI; c. 5, 19 VII).
- despises his bishop and starts another congregation (c. 31, 55 Ap; c. 5 Antioch; c. 13, 14, 15 Constantinople I–II)
- insults the king (i.e., civil authority), the ruler, or rises in rebellion against the civil authority or against the bishops and fellow clergy (c. 84 Ap; c. 18 IV; c. 34 VI)
- wastes his time playing dice or getting drunk (c. 42 Ap; 50 VI)
- charges interest from the people to whom he lent money (c. 44 Ap; c. 17 I; c. 10 VI)
- allows heretics to perform any clerical office (c. 45 Ap)
- admits the baptism or the Eucharist of the heretics (c. 46 Ap)
- baptizes again a person who was rightly baptized (c. 47 Ap)
- does not baptize in the name of Father, and the Son, and the Holy Spirit (c. 49 Ap)
- does not perform baptism with three immersions (c. 50 Ap)
- does not believe in the sanctity of marriage and at wedding refuses to eat meat and drink wine (c. 51, 53 Ap)
- neglects the clergy or the people (c. 58 Ap)
- denies the name of a clergyman; that is, renounces the clerical office (c. 62 Ap)
- keeps strict fast on Saturdays (with exception of Holy Saturday) and Sundays (c. 66 Ap; c. 55 VI)
- accepts to be ordained a second time in the same rank. The same penalty is given to the ordaining bishop (c. 68 Ap)
- insults the king or the ruler (i.e., civil authorities; c. 84 Ap)
- has lapsed or become apostate before ordination (c. 10 I)
- transfers himself without approval from the bishop from one parish to another (c. 10 IV; c. 10 VII; c. 3 Antioch)
- seizes the bishop's belonging after the bishop's death (c. 22 IV)
- contracts a second marriage and will not give it up (c. 3 VI)
- marries after ordination (c. 6 VI; c. 1 Neocaesarea)
- keeps a tavern (c. 9 VI)

- demands payment or anything else for Holy Communion (c. 23 VI)
- promises to give to the Church all or part of his personal property and then recants his promise (c. 32 Carthage)
- without the approval of the bishop performs holy mysteries (sacraments) outside the church (c. 31, 59 VI; c. 10 VII; c. 12 Constantinople I–II)
- does not mix the wine with water at Holy Communion but uses only wine (as the Armenians do) or only water (as the Hydroparastatae do; c. 32 VI)
- takes home and uses improperly holy vessels or any appointments belonging to the Church (c. 10 Constantinople I–II)
- without a serious excuse does not attend church for three consecutive Sundays (i.e., three weeks; c. 80 VI)
- refuses to submit to the judgment of the Church (c. 15 Carthage)
- as hieromonk, receives some (unworthy) people into monastic life without the approval or in absence of the abbot (*hegoumenos*; c. 2 Constantinople I–II)
- does not commemorate his bishop in the Divine Liturgy; the same applies to the bishop who does not commemorate his metropolitan and to the metropolitan who does not commemorate his patriarch (c. 13, 14, 15 Constantinople I–II). The noncommemoration can be accepted only if the superior fell into heresy.

A bishop is to be deposed when he does any of the following:

- ordains candidates in other dioceses or meddles (without approval) in the life of another eparchy; the penalty is applied not only to the bishop but also to those who received the ordination (c. 35 Ap; c. 13 Antioch).
- intervenes with the secular powers, seeking to divide a province in order to "exalt" himself as the ruler of that metropolis (c. 12 IV)
- lives a married life; "we give command that no one ordained bishop shall any longer live with his wife" (c. 12 VI; the Sixth Ecumenical Council in Trullo in 692 changed the marital status of the bishops; they could not be married anymore)
- consecrates a church without relics of the Holy Martyrs (c. 7 VII)

- receives clergy from another eparchy without canonical letter or allows clergy to leave without canonical letter (c. 17 VI)
- without justified cause, is absent more than six months from his eparchy (c. 16 Constantinople I–II)
- as a *chorepiscopos* or bishop-vicar, ordains deacons and priests without the approval of the ruling bishop; however, he is allowed to ordain exorcists, readers, and acolytes (c. 10 Antioch).

DEPOSITION (TEMPORARY/SUSPENSION): A clergyman is canonized (i.e., sanctioned) with temporary deposition when some of his sins are not serious enough to cause his fall from grace (c. 21 VI) and when by his behavior he shows remorse for his sins. The deposed clergyman is returned to the status of layperson for a period of time but is not excommunicated; he is allowed to receive Holy Communion as a layperson (c. 5, 12, 13, 25, 32, 36, 45, 48, 59, 64 Ap; c. 20 IV; c. 36 VI; c. 14 Sardica; c. 11, 133 Carthage). After the period of suspension, the clergyman may be returned to active ministry or restored to previous dignity. See also RESTORATION.

DESECRATION: A person who takes from the church any vessel or sanctified object and gives it a personal use should be excommunicated (c.73 Ap; c. 10 Constantinople I–II).

Anyone who steals any vessel or sanctified object and uses it in an unholy way should be deposed (c. 10 Constantinople I–II).[104]

One who holds parties (*agapae*, or love feasts) in the church, or who eats or spread couches there, should be excommunicated (c. 86 VI).

One who sells or trades foods within the sacred bounds of the church should be excommunicated (c. 76 VI).

A clergyman who lets cattle enter the holy halls, unless a great necessity compels it, should be deposed; the layperson should be excommunicated (c. 88 VI).

DEVIL: A man possessed by the devil may not be ordained and is not allowed to pray with the faithful; but if the devil is cast out, he should be received into communion, and if worthy, he may be ordained (c. 79 Ap).

104. C. 10 Constantinople I–II offers a few examples of unholy usage: turning the altar table cloth into a garment; using the paten and the chalice for eating, and so on.

If a communicant is possessed by the devil he may partake of Holy Communion if he does not expose or blaspheme the mysteries (c. 4 Timothy of Alexandria).

DICE: If a bishop, presbyter or deacon is addicted to dice (gambling) and drinking, let him either give it up or let him be deposed (c. 42 Ap). The same applies to members of the minor orders (subdeacons, readers, singers) and the laypeople; let him give it up or be excommunicated (c. 43 Ap).

From now on, no clergyman or layperson should play dice; if someone is caught playing dice, if a cleric, he should be deposed; if layperson, he should be excommunicated (c. 50 VI). See also GAMBLING.

DIGAMISTS: A digamist is a person who married twice.[105]

A digamist may be admitted to communion (c. 8 I) after a short period of prayer and fasting (c. 1 Laodicea).

A man who after baptism married twice may not be ordained (c. 17 Ap; c. 3 VI; c. 12 Basil the Great).

A digamist is worthy of penance (c. 7 Neocaesarea).

A priest is not allowed to attend, as guest, the marriage of a digamist (c. 7 Neocaesarea).

Those who profess virginity, if they disregard their professions, should do the same penance as digamists (c. 19 Ancyra).

Cathari who have been reconciled with the catholic Church must promise to communicate with digamists (c. 8 I).

DIGNITY, SECULAR: Clergymen and monks are not allowed to accept a military charge or a secular dignity; whoever transgresses this rule should be excommunicated (c. 7 IV).

A bishop or priest is not allowed to leave the Church's service to dedicate himself to secular affairs (c. 81 Ap). See also OFFICE.

DIOCESE: See PARISH (DIOCESE).

105. Digamist, from Greek (meaning twice-married), is a person married twice, either after widowhood or divorce. The heretic sect of Cathari or Novatians (followers of Novatian) believed in one marriage for life and assimilated digamy to fornication. The term should not be confused with 'bigamist' which also means twice-married but at the same time. See more explanations in the Excursus on second marriages, called digamy, in NPNF 2.14: 72.

DIPTYCH: A diptych is a sort of notebook formed by the union of two tablets united by a hinge. Originally, the surface of the tablets was covered with wax, on which words were written with a stylus. Diptychs predate the Christian Church and served many secular purposes. In the liturgical life of the Church, the names of the living and the dead were written on the tablets of the diptychs, and so the tablets were named "diptychs of the living" and "diptychs of the dead." The writings of St. Cyprian of Carthage (third century) and St. John Chrysostom (fourth century) mention them. Diptychs can be grouped in four broad categories: hierarchical diptychs (approved lists of local bishops recognized as Orthodox and legitimate successors of the apostles), communion diptychs (also hierarchical lists, but expanded to include the communion of churches in different regions), confessional diptychs (listing those who represented a confessional teaching or loyalty), and mixed diptychs (listing locally venerated saints and various combinations of the first three categories).

In the early Church, diptychs reflected the membership of the Church unit, while nowadays they are used at the local level for the membership (living and dead[106]) and at the highest level to show the unity of the Church. For example, on the tablet of the living in the hierarchical diptychs of the Patriarchate of Constantinople are written the names of the heads of the autocephalous churches. Those names are recited by the great archdeacon of the patriarchate during the Divine Liturgies, and thus those names and those churches are shown to be in communion with the Ecumenical Patriarchate.

Those who endured tortures and were deprived of speech and movement, who had their hands forced into fire in order to offer unholy sacrifice should be placed in the diptychs of the liturgy among the confessors (c. 14 Peter of Alexandria).

DISCIPLINE: Abstinence from marriage and from consumption of meat or wine for the discipline of the Church (asceticism) is allowed (c. 51, 53 Ap).

106. St. John Chrysostom wrote, "Not in vain was this rule ordained by the Apostles, that in the dread Mysteries remembrance should be made of the departed: for they knew that it is a great gain to them, and a great benefit" (Hom. 41 on 1 Cor., 45A).

DISHONORABLE LIFE: A man who just converted from a dishonorable life must not be immediately made a bishop unless that is done upon a special manifestation of divine grace in his favor (c. 80 Ap).

DISOBEDIENCE (CANONICAL): Disobedience of clergymen toward their bishop is punishable with deposition; that of laypeople and monks, with excommunication (c. 8 IV).

If a clergyman disobeys his bishop and refuses to return to his own parish when summoned, that clergyman should be suspended (c. 15 Ap, c. 3 Antioch); and if he persists in disobedience and refusal, he should be deposed (c. 3 Antioch).

If a clergyman is justly deposed and dares to meddle with any of the divine services, let him be altogether cut off from the Church (i.e., defrocked; c. 28 Ap).

A clergyman who disobeys his bishop (by building another congregation, erecting an altar, rebelling against the bishop, etc.) should be deposed; layperson who does so should be excommunicated (c. 8 IV; c. 31 Ap; c. 5 Antioch).

For disobeying the canons of the Synod of Ephesus (Third Ecumenical Council, 431) clergymen should be punished with deposition and laypeople with excommunication (c. 6 III.)

DISOBEDIENCE, TO CIVIL AUTHORITY: From society's point of view, disobedience toward civil authority is a misdemeanor; from the Church's point of view, it is a sin or a trespass. In addition to the secular punishment, the Church inflicts its own punishment on those who transgress its rules.

Whoever insults the king or a ruler (i.e., any civil authority) contrary to what is right, let him suffer punishment. If he is a clergymen, let him be deposed; if layperson, let him be excommunicated (c. 84 Ap).

DISOBEDIENCE, TO ECCLESIASTICAL AUTHORITIES: Disobedience in the Church is corrected by means of teachings and sanctions that may bring the sinner into the right way and may discourage other people from going in the wrong direction. Sanctions are meant to keep order and discipline in the Church. The sanctions, or the canons, are an integral part of Orthodox Canon Law. Most canons relate to sins committed by clergymen, and based on the gravity of the sin, they may be grouped as follows:

a. Admonition, reprimand, or reproof is a lighter sanction against clergymen who have committed less grave sins (e.g., c. 19 IV); or if the sins were more serious, in cases when the clergymen acted without intention (e.g., c. 15 Ap; c. 16 I; c. 23 IV). See also ADMONITION.

b. Loss of *presveia* is a sanction inflicted on those who dare to occupy a superior rank that was not bestowed on them. They are sent back to their former rank and lose all previously earned years of service, thus moving to the last spot on the clerical list for that rank (see c. 7 VI).

c. Temporary suspension is imposed on those who broke the canons and traditions of the Church and for whom there is hope of correction and reintegration (see c. 36 Ap).

d. Liturgical and sacramental suspension (temporary deposition) is imposed on clergymen who commit sins that disqualify them from the fullness of priestly duties (e.g., c. 9 Neocaesarea) or on clergymen who claim undeserved rights to priestly duties.

e. Deposition, or defrocking, is inflicted on a clergyman who leaves his eparchy or who unjustly occupies an eparchy (e.g., 16 Constantinople I–II; c. 16 Antioch; c. 15 Ap).

f. Deposition from all clerical functions but retention of the title and the clerical dignity is imposed on clergymen who out of ignorance cause folly among people and who eventually repent; on those whose who offer sacrifices during the persecutions and afterward return in sincerity (c. 1 Ancyra); and on those who out of ignorance contract an illegal marriage (c. 26 VI; c. 8, Neocaesarea).

g. Deposition from all clerical functions with the loss of the title and the clerical dignity is applied for serious sins and leads to total exclusion from the clergy; names are erased from the sacerdotal list and the guilty are ranked among the laity. C. 3 Antioch excludes any possibility of restoration, and if a bishop were to receive a deposed clergyman, that bishop is judged by the synod "as one who nullifies the ecclesiastical laws." C. 9 VI (Trullo), after underscoring the "complete and perpetual deposition," allows former clergymen who now are laypeople and deplore their sin to cut their hair after the manner of the clerics.

h. Deposition with excommunication leads to exclusion not only from priestly functions but also for a period of time from the ranks of the laypeople. The sanction is applied especially to clergymen who after deposition dare to conduct priestly functions (c. 28 Ap). This type of deposition is referred to in some English translations of the canons as being "cut off from the Church."

i. Anathema is the total exclusion from the Church for extremely serious sins and with no possibility of correction. Balsamon called anathema a "separation from God." C. 1 II (Second Ecumenical Council) ruled that all heresies should be declared anathema so that the faith should stand firm.

DISPENSATION: See *ECONOMIA*, INDULGENCE.

DISPUTES: If anyone has been was wronged by his metropolitan, let the matter be decided by the exarch of the archdiocese or by the throne of Constantinople (c. 17 IV).

Disputes over the bishop's jurisdiction in outlying parishes are to be decided by the provincial synod (c. 17 IV).

Disputes between clergymen are to be decided by the bishop or by referees appointed with his consent; anyone who disregards this decree should be subject to canonical penalties. If a clergyman has a complaint against his bishop, let it be decided by the synod of the province. And if a bishop or a priest has a difference with the metropolitan, let him have recourse to the exarch of the archdiocese or to the throne of Constantinople (c 9 IV).

Ecclesiastical disputes are to be settled by the provincial synod (c. 37 Ap; c. 20 Antioch).

DISQUALIFICATIONS: Disqualifications are acts, attitudes, or the status of the candidates to the clerical office which make them ineligible for office; the laypeople also can be disqualified in their pursuit of rights and privileges or when they are in dispute with clergymen.

A. General disqualifications from ordination

One who after baptism has been twice married or has had a concubine may not be ordained (c. 17 Ap).

One who has married a widow, a divorcée, a harlot, a slave or an actress may not be ordained (c. 18 Ap).

One who has married two sisters or a niece may not be ordained (c. 19 Ap).

One who has castrated himself may not be ordained (c. 22 Ap; c. 1 I), but castration by force or for surgical purposes is not a disqualification (c. 1 I).

A husband whose wife commits adultery may not be ordained (c. 8 Neocaesarea).

One who has committed fornication, adultery, or any other forbidden act may not be ordained (c. 61 Ap).

One possessed by the devil may not be ordained, but if the devil was cast out and the candidate is otherwise worthy, he may be ordained (c. 79 Ap).

A slave may not be ordained unless his master manumits him (c. 82 Ap).

One who has lapsed may not be ordained (c. 10 I), but those who remained steadfast throughout the persecutions, though forced to appear otherwise, are not disqualified (c. 4 Ancyra).

A recent convert from heathenism may not be ordained (c. 3 Laodicea), but former profession of heathenism is not in itself a disqualification (c. 12 Ancyra).

A convert from the Paulianist heresy may be ordained (c. 19 I).

One who left his own may not be ordained in another church without the consent of his own proper bishop (c. 16 I).

A clergyman may not be ordained without a charge—that is, an assignment (c. 6 IV).

One who is already canonically ordained may not receive a second ordination (c. 68 Ap).

B. Disqualifications from the episcopate

A eunuch, if made so by force or persecution or so born, is not disqualified from the episcopate (c. 21 Ap).

Total deafness or blindness is a disqualification from the episcopate (c. 78 Ap), but partial blindness or lameness is not (c. 77 Ap).

A bishop may not ordain a relative to the episcopal dignity; if he does so, the ordination should be void, and the ordainer himself should be excommunicated (c. 76 Ap).

Recent conversion from heathenism or a dishonorable life is a disqualification from the episcopate (c. 80 Ap; c. 2 I).

A bishop may not be ordained without a long probation of both faith and life (c. 12 Laodicea).

The canonical age for bishops and presbyters is thirty years (c. 11 Neocaesarea; c. 14 VI).

C. Disqualifications from the priesthood

A priest may not be ordained without examination or after confession of crimes, "for the catholic Church requires that only which is blameless" (c. 9 I).

If after ordination a priest confesses carnal sin, that disqualifies him for making the oblation, although he may remain in his other functions on account of his zeal (c. 9 Neocaesarea).

The married state of the presbyter does not disqualify him from making oblation; those denying the married status of the presbyter[107] should be declared anathema (c. 4 Gangra).

Lapsed status disqualifies a priest from performing any of his duties; even after he is restored, he will retain only the honor of his chair (c. 1 Ancyra).

Clinical (emergency) baptism is generally disqualifies one from priesthood (c. 12 Neocaesarea).

Recent conversion from heathenism is a disqualification from priesthood (c. 2 I).

One who is under thirty years of age is disqualified from ordination to priesthood (c. 11 Neocaesarea; c. 14 VI).

D. Other disqualifications

Lapsed deacons, even after restoration, should abstain from any sacred ministry (c. 2 Ancyra).

A deaconess may not be ordained under forty years of age or without examination; if after ordination she despises the grace of God and gives herself in marriage, she and the man united with her shall be anathema (c. 15 IV).

A slave may not be received as a monk without the consent of his master (c. 4 IV).

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107. It seems that some people refused to partake from the Holy Communion consecrated by a married priest; in order to curb this attitude the Council of Gangra issued c. 4 with a very serious punishment, anathema. In the commentary to this canon, Hefele points ironically to the fact that in the so-called Codex Ecclesiae Romanae this canon is not listed and so the collection presents only 19 canons rather than 20 for the Council of Gangra. See NPNF 2.14: 93-94.

One who is possessed by the devil may not be received into the community; however, if the devil is cast out, the person may rejoin the community (c. 79 Ap).

Failing to prove an accusation toward a bishop disqualifies the accuser; moreover, he or she should be judged as a calumniator (c. 6 II; c. 19 Carthage).

In secular matters, any person may lodge a claim against a clergyman; however, in ecclesiastical matters, only people of faith may lodge claims. Heretics, schismatics, the anathematized, the deposed (or suspended), the excommunicated, those living in sin, and the condemned may not lodge claims against the clergymen (c. 6 II; c. 21 IV; c. 74 Ap; c. 8, 29 Carthage).

Those who lack civil rights[108] and those known for their scandalous behavior may not lodge charges against clergymen (c. 129 Carthage).

A person who has lodged more than one claim against a clergyman and fails to prove one is disqualified from raising the others (c. 130 Carthage).

DISTRICTS: The jurisdiction of a bishop is limited to his own diocese or his districts (c. 34 Ap; c. 9 Antioch); the jurisdiction of a bishop is limited to his own city or district (c. 35 Ap; c. 22 Antioch).

Chorepiscopoi are not allowed to act beyond their districts, within which they are to ordain readers, subdeacons, and exorcists (c. 10 Antioch).

Country districts should not have independent bishops, but those already appointed are to consult the bishop of the city before acting (c. 57 Laodicea).

In a new or rebuilt city, the ecclesiastical districts should follow the political and municipal arrangements (c. 17 IV).

DISTURBANCES (IN CONSTANTINOPLE): Disturbances in Constantinople caused by Maximus the Cynic led to the decision of the Second Ecumenical Council that Maximus was not and never had been a bishop; those ordained by him were declared not clergy, and whatever had been done by him was judged invalid (c. 4 II). More

108. Those lacking civil rights were slaves, freedmen, and those stained by infamy (actors, heretics, Jews, etc.),

generally, clergymen and monks who go to Constantinople and cause disturbances there are to be expelled from the city (c. 23 IV).

DIVINATION: Those who practice divination and follow the customs of the heathen fall under the canon of five years, according to the prescribed degrees—that is, three years as prostrators and two years of prayer without oblation (c. 24 Ancyra). See also ASTROLOGERS; CUSTOM (PAGAN).

DIVINE SERVICES: Some regulations for the conduct of divine services are presented in the canons (c. 17, 18, 19 Laodicea).

Those who despise services in honor of the martyrs are to be anathematized (c. 20 Gangra).

A member of the Church may not attend or communicate at the services of the heretics in cemeteries or martyries; if he does so, he should be excommunicated for a time, but if he repents and confesses he shall be received back (c. 9 Laodicea).

One who performs divine services without the approval of the bishop should be pronounced anathema (c. 6 Gangra; c. 10, 11 Carthage).

A deposed clergyman who dares to perform divine services is cut off completely from the Church with no hope of restoration to his previous dignity (c. 28 Ap; c. 4 Antioch).

DIVINERS: Those who practice divination and follow the customs of the heathen fall under the canon of five years according to the prescribed degrees—that is, three years as prostrators and two years of prayer without oblation (c. 24 Ancyra). See also ASTROLOGERS; CUSTOM (PAGAN).

DIVISION (OF A PROVINCE): Bishops are forbidden to obtain imperial rescripts for dividing provinces; anyone who undertakes such propositions should be degraded from his rank (c. 12 IV).

DIVORCE: A true Orthodox marriage is based on its uniqueness and the permanence of married conjugal life. When the marriage becomes diseased because of the callousness of humankind, the Church in her mercy permits divorce and remarriage on the grounds of what the Lord said in Mt. 19:9: "I tell you that anyone

who divorces his wife, except for marital unfaithfulness, and marries another woman commits adultery."[109]

St. Paul wrote concerning the unmarried and widows, "If they cannot control themselves, they should marry" (1 Cor. 7:9). Concerning the same issue, St. John Chrysostom stated, "Better to break the covenant than to lose one's soul."[110] According to Bishop Kallistos Ware, divorce is an action of *economia* and an "expression of compassion" by the Church toward sinful humanity.[111] In brief, the Orthodox Church sees divorce as a tragedy caused by human weakness and sin. In order to heal the pain of the separation and divorce, the Church instituted ecclesiastical divorce, and a remarriage in the Church is possible only after an ecclesiastical divorce has been pronounced for the previous marriage. As in other institutions, the Church applies two standards, one for the clergy and another for the laity.[112]

A clergyman (bishop, priest, or deacon) who divorces his wife under pretense of asceticism should be excommunicated. If he persists, let him be deposed (c. 5 Ap; c. 15 VI).

A presbyter who, through ignorance, entered into an illegal marriage is required to divorce (c. 26 VI).

If the wife of a clergyman committed adultery, he is required to divorce her; if he keeps her, he should be expelled from the Church (i.e. defrocked) (c. 8 Neocaesarea; 21, 62 John the Faster).

If any layman divorces his wife and marries another or marries one who has been divorced by another man, let him be excommunicated (c. 48 Ap).

"It is right, according to the ecclesiastical Canon, that Communion should by indulgence be given to those who have freely and lawfully joined in second marriages, not having previously made a

109. The Orthodox Church upholds marriage as one of the seven sacraments; but as God did not force Adam and Eve to choose the good, in the same way the Church may not intervene in the extension of a marriage refused by the spouses. Consequently, the Church does not have a theology of divorce but simply ascertains the lack of conjugal love.

110. John Chrysostom, *PG* 61:155.

111. Timothy Ware (Bishop Kallistos), *L'Orthodoxie: L'eglise des sept conciles* [Orthodoxy: The church of seven councils] (Paris: Les Editions du Cerf, 1997), 380–381.

112. "Every one to whom much is given, of him will much be required" (Luke 12:48).

secret marriage; after a short space, which is to be spent by them in prayer and fasting" (c. 1 Laodicea).[113]

Separation and living with someone else is adultery (c. 87 VI). Basically, a divorce without reasons is considered adultery. At that time (692), the ecclesiastical law and the civil legislation accepted divorce under the following conditions: (1) moral death, caused by adultery or (later) by an attempt on the life of one of the spouses; (2) religious death, caused by heresy or schism; (3) civil death, caused by the death penalty for one party or jail for at least three years; (4) physical partial death, when one party could not fulfill the conjugal rights; (5) consent of the spouses,[114] when they embrace an ascetic life and the husband is elected bishop. Those guilty of adultery were canonized based on the usual steps of correction, extended for a duration of seven years: one year of 'weeping', two years of 'hearing', three years of making prostrations, and the seventh year costander with the faithful; only after that could he or she receive Holy Communion.

DIVORCE, OF THE CLERGYMEN: The Church in its wisdom and mercy painfully accepts the dissolution of marriage and even the possibility of remarriage for the faithful; however, the same condescension is not shown to the clergy. This unequivocally double standard is based on the higher expectations that are placed on the clergymen.

113. This canon assumes that a divorce has taken place before the individual involved enters into a public and legal second marriage. This canon radically influenced the Church's discipline on divorce and remarriage. However, c. 4 Basil the Great asks for one or two years abstention from Holy Communion for those who have remarried (i.e., digamists).

114. Roman and Byzantine societies knew divorce by consent or repudiation (libellus repudii) in which the spouses did not have to prove any misbehavior. Eventually, Justinian in Novel (or Constitution) 22, chapter 15, restricted the so-called repudium of both husband and wife to reasons as follows: adultery, homicide, administration of poison, sedition against government, forgery, violation of sepulchers, theft, stealing from religious houses, etc. Novel 117 of the same Emperor refines the reasons for dissolution of marriage in chapters 8 and 9 and makes provisions for the children from those marriages. Chapter 10 of the Novel basically "forbids this for the future, unless where the parties interested are impelled by desire to live in chastity." Children from this last marriage should be provided from the dowries and ante-nuptial donations. See S. P. Scott, *The Civil Law*, (Cincinnati: Central Trust Company, 1932) in the online version www.constitution.org/spsp.htm.

Separation of laypeople is a pastoral concern for the Church, but disciplinary action in this matter is not conceived. Separation for clergymen brings sacerdotal consequences, in many cases suspension from celebrating the mysteries.

In the eyes of the Church, the initiative of divorce and the imputability of separation and divorce counts. As a general rule, if the divorce is imputed to the clergyman, he is suspended, but if the separation and divorce is entirely imputed to the wife, the clergyman may be allowed to continue his ministry. Partial guilt or even the suspicion of unpastoral behavior on his part might bring to the clergyman an administrative sanction or suspension.

DIVORCED WOMAN: Marriage with a divorced woman is a disqualification for ordination (c.18 Ap). If a layman marries a woman who has been divorced by another man, he should be excommunicated (c. 48 Ap).[115]

DOCTRINE, OF FAITH: Mutual examination by the bishops of the doctrine of faith and the settling of ecclesiastical controversies are the main objectives of the synods (c. 37 Ap).

DOGMA: Dogmas are the truths of the faith formulated in the Scriptures of the Old and New Testaments, preserved by Holy Tradition, and exemplified in the writings of the Fathers and in the canons of the Orthodox Church. They are eternal truths, unchangeable, as they are revealed by the Lord, who is Absolute Truth.

The faith of the 318 Fathers assembled at Nicaea in Bithynia shall not be set aside but shall remain firm (c. 1 II).

In regard to the *tomos* of the Western Bishops (synod of 369 under Pope Damasus) and the one of Antioch (synod of 378), they are the same, and both confess the unity of the Godhead of the Father, and of the Son, and of the Holy Spirit (c. 5 II).

No one is allowed to bring forward, write, or compose another profession of faith (creed) different from the one approved by the Holy Fathers of Nicaea and Constantinople under the power of the Holy Spirit; clergymen who do so should be deposed, and laypeople who do so should be anathematized (c. 7 III; c. 5 II).

115. Here is a good example of the two standards of the Church: marriage with a divorced woman is a disqualification for ordination (c. 18Ap), while for a layperson, marriage with a divorced woman may bring an excommunication for a period of time, but the marriage stands (c. 48 Ap).

No innovation upon the faith of the apostles is to be allowed. The faith of the Nicene Fathers and of the subsequent ecumenical councils, all the way to the sixth (Quinisext, in Trullo) is upheld (c. 1 VI).

Any additions made through guile by the heterodox in the *Apostolic Constitutions* edited by Clement shall be cut off from the Church (c. 2 VI).

"We gladly embrace the Divine Canons, i.e. those of the Holy Apostles, of the Six Ecumenical Synods, as also of the local synods and of our Holy Fathers, as inspired by one and the same Holy Spirit. Whom they anathematize, we also anathematize; whom they depose, we depose; whom they cut off, we cut off; and whom they subject to penalties, we also so subject" (c. 1 VII).

The statutes of the Nicene Council are to be scrupulously observed (c. 1 Carthage).

The whole council said: "By the favor of God, by a unanimous confession the Church's faith which through us is handed down should be confessed in this glorious assembly before anything else; and those things received from our fathers we uphold, as the unity of the Trinity, which we retain consecrated in our senses, of the Father, and of the Son, and of the Holy Spirit" (c. 2 Carthage).

Whoever says that Adam, the first man, was created mortal, so that whether he had sinned or not, he would have died in body, not because his sin merited this, but by natural necessity, is to be anathema (c. 109 Carthage).

Whoever should say that the grace of God, by which a man is justified through Jesus Christ our Lord, avails only for the remission of past sins, and not for assistance against committing sins in future, is to be anathema (c. 111 Carthage).

Whoever says that the grace of God is given to us only that we may know what we ought to do and what to flee from, but not also that we may love the thing known and be able to accomplish it, is to be anathema (c. 112 Carthage).

Whoever preaches that without grace we could keep the commandments although with difficulty is to be anathema (c. 113 Carthage).

Whoever shall interpret the saying of St. John the Divine, "If we shall say that we have no sin, we deceive ourselves" as not being really true but as spoken out of humility, is to be anathema (c. 114 Carthage).

Whoever expounds "forgive us our trespasses" from the Lord's Prayer as speaking only of the multitude and not of individuals, out of humility and not in truth, is to be anathema (c. 115, 116 Carthage).

DOMESTICS (SERVANTS): Bishops are not allowed to employ their own domestics in the management of church funds (c. 25 Antioch).

DONATISTS: The Donatist movement flourished in North Africa in the fourth century and disappeared after the Arab conquest of the seventh and eighth centuries. One of its leaders, Donatus Magnus, gave the name to the heresy. The Donatists were rigorists, bringing under question the sacraments performed by the priests who gave up the Scriptures in order to obtain favors from the secular or civil authorities.[116]

Canons dealing with the Donatist heresy were promulgated mostly by the regional council of Carthage in 419 (c. 57, 66, 67, 68, 69, 91, 92, 124 Carthage).

DOORS: A subdeacon is not allowed to leave the doors to engage in the prayer (liturgy),[117] even for a short time (c. 22, 43 Laodicea).

DRESS: A clergyman who does not dress in a manner appropriate to his calling when he travels or at home should be suspended for one week (c. 27 VI). A nun should not adorn herself with expensive clothes (c. 45 VI).

No man should be dressed as a woman, nor any woman in the garb suitable to men; a clergyman who attempts to do so should be deposed, and a layperson should be excommunicated (c. 62 VI). If any woman, under pretense of asceticism, changes her accustomed clothing and puts on that of a man, she should be pronounced anathema (c. 3 Gangra).

Clergymen are to dress modestly; those who array themselves in splendid clothes and anoint themselves with perfumes should be corrected; if they persist, they must be punished (*epitimia*; c. 16 VII; c. 27 VI; c. 21 Gangra).

DRINKING: If a clergy is addicted to drinking, "let him either give it over, or be deposed" (c. 42 Ap). A member of the minor clergy or

116. The Donatists called those priests traditors, "betrayers."

117. It may be that when a deacon was missing at the Divine Liturgy, the subdeacon would take an orarion and chant the litanies in the front of the Royal Doors.

a layperson who is addicted to drinking should "give it over, or be excommunicated" (c. 43 Ap).

Members of the Church of any rank are not allowed to join clubs dedicated to drinking and entertaining (c. 55 Laodicea). See also TAVERN.

DRUGS: Women who prepare drugs that cause abortion are to fulfill ten years of penance (*economia*); the same sentence applies to women who take the drugs (c. 21 Ancyra).

DRUNKENNESS: A bishop, priest, or deacon addicted to drinking, if not willing to give it up, should be punished with deposition (c. 42 Ap).

A man addicted to drinking who belongs to the minor orders (subdeacon, reader, singer) or is a layman should give it up or be excommunicated (c. 43 Ap). See also TAVERN.

DWELLINGS, SECULAR: Monasteries, once they have been consecrated with the bishop's consent, shall remain monasteries forever, and they may not be used as secular dwellings; whoever disregards this decree is subject to ecclesiastical penalties (c. 24 IV).

DYING, COMMUNION BEFORE: After being examined by the bishop, the dying are entitled to receive Holy Communion; if their condition is reversed, they communicate in prayers only.[118] (c. 13 I).

Holy Communion should be given to the lapsed who have been admitted to penance and are in danger of death, as long as the danger continues (c. 6 Ancyra).

A married man over fifty years of age who is guilty of bestial lust should be admitted to Holy Communion only at the point of death (c. 16 Ancyra).

A willful murderer should be admitted to Holy Communion only at the point of death (c. 22 Ancyra).

A woman who marries two brothers should be admitted to Holy Communion at the point of death (c. 2 Neocaesarea).

EASTER (PASCHA): Clergymen are forbidden to celebrate Easter before the vernal equinox, at the time of the Jewish Passover; if they

118. To those under penance for very serious sins and facing imminent death, they should be given Holy Communion with the approval of the bishop, but if they miraculously recover they should continue their penance from the step of 'hearers.'

do so, they should be deposed (c. 7 Ap; c. 1 Antioch; Encyclical of Nicaea).

Fasting is not permitted on Saturdays and Sundays; however, the Saturday of Holy Week is a fasting day (c. 66 Ap).

Provincial synods are to be held twice a year: one after the third week of Easter and another in the fall (c. 20 Antioch).

Eulogiae may not be sent from one diocese to another at Easter (c. 14 Laodicea). See also BREAD.

EATING: Eating in church is forbidden (c. 28 Laodicea).

ECCLESIASTICAL COURT: A bishop accused "of anything by men worthy of credit" should be judged by the synod. If he appears and confesses, a suitable punishment must be inflicted on him. If he is summoned and does not attend, he should be summoned a second time, and two bishops should be sent to him for this purpose.[119] If he persists in his refusal to appear for the judgment of the synod, he will be judged *in absentia* (c. 74 Ap; c. 6 II). If for any reason the synod cannot gather, that bishop should be judged by twelve bishops (c. 12, 20, 100 Carthage).

In the same circumstances—that is, if the synod cannot gather—and in appeals, priests should be judged by six bishops and deacons by three bishops (c. 12, 20 Carthage).

A priest from Tripoli shall be heard by five bishops, with his diocesan bishop presiding (c. 14 Carthage).

A bishop may be deposed only by the synod (c. 1 Constantinople [394]). This canon reinforces the need for a summons, hearing, and judgment by the synod; thus, one or two bishops cannot depose a bishop and install someone else in his place.

If in sentencing a bishop unanimity of votes was not reached, the metropolitan should also call to the synod bishops from neighboring provinces (c. 14 Antioch).

A sentence by a unanimity of votes given by the synod may not be appealed (c. 15 Antioch).

A bishop alone may not judge a charge in which he has a personal interest (c. 107 Carthage).

If any person who pleaded his case in any church according to the apostolic law (1 Cor. 6:1–5) imposed upon the churches is not satisfied with the decision of the clergy, and he brings his cause to a civil court to be judged anew as if judgment had never been pronounced, the civil authority should not allow a clergyman who was cognizant of the cause or was present or even one of his relatives (who may be cognizant) to be summoned to the civil trial as a witness (c. 59 Carthage).[120]

If a clergyman has an accusation against the bishop, the charge should be judged by the synod of the diocese; if a bishop or a clergy lay an accusation to the metropolitan, then the exarch of the area and his synod or the patriarch should hear the charge (c. 9, 17 IV; c. 6 II).

A bishop who has a litigation with another bishop should be judged by the synod to which both belong (c. 3 Sardica).

A bishop has the right to judge the clergy of his diocese (c. 32 Ap; c. 62 Carthage); those sanctioned by the bishop and unhappy with the outcome may appeal to the metropolitan or to the synod (c. 5 I; c. 6 Antioch; c. 14 Sardica).

A clergyman accused of some impropriety may be sanctioned in his absence, if he systematically refuses to come to judgment (c. 77 Carthage); likewise, the judgment will take place even if the accuser refuses to appear at the judgment (c. 100 Carthage).

Ecclesiastical judgment should be done in accord with the canons (c. 1 Cyril of Alexandria).

A spiritual father as well as an ecclesiastical judge should be careful in administering penances and sanctions, so as to give the right medicine for the sickness (c. 102 VI).

In case a judgment takes place in a city where the accused (or the accuser) lives and there is the fear that some evil may be done to him by a tumultuous multitude, the judgment may be transferred to another place to which the witnesses could easily go (c. 30 Carthage).

119. Hefele, reading the Latin text, allowed for a third summons, while the Greek text mentioned only two.

120. In order to understand this canon, one must recall that the emperor Constantine the Great gave the Church authority to judge not only ecclesiastical matters but also secular matters; however, emperor Honorius rescinded this decree in 399 and permitted the Church to judge only ecclesiastical disputes. Some people took advantage of this change and, unhappy with the resolution of disputes in the Church (where there is no appeal), brought the same dispute before a secular court, asking that clergymen or their relatives to be summoned as witnesses. Nikodim Milash underscored that this change of venue (from ecclesiastical to secular court) was illegal and that the emperors were required to intervene, Milash, *Canons*, 1, 2, 224-225.

Clergy who refuse to submit to ecclesiastical judgment should be deposed (c. 15, 104 Carthage).

If a clergyman seeks judgment in secular courts for a church matter, he loses his ecclesiastical rank and the possibility of forgiveness and restoration; he is encouraged, rather, to use the ecclesiastical courts for judgment (c. 104 Carthage; c. 12 Antioch).

ECCLESIASTICAL JUDGMENT: See ECCLESIASTICAL COURT.

ECCLESIASTICAL JUDGES: Judges who "had given sentence moved by hatred or some

other mental bias, or who have been in some way corrupted" should be sanctioned (c. 15 Carthage).

ECONOMIA (DISPENSATION): A bishop has the authority to reduce the length or the severity of penances for those who show themselves zealous in completing them (c. 12 I; c. 16 IV; c. 102 VI; c. 2, 5, 7 Ancyra; c. 6, 43 Carthage; c. 1 Basil the Great; c. 4, 5, 7 Gregory of Nyssa).

***ECONOMOS*:** Nowadays, *economos* is a priest's rank, along with confessor and protopresbyter; in the past, an *economos* or *steward* was a monk in charge of the administration of eparchial property.

Each eparchy should have an *economos* so "that the administration of the Church may not be without witness" (c. 26 IV; c. 11 VII). If the bishop does not name an *economos*, the metropolitan may name one without his approval; the same for the metropolitan: the patriarch may name an *economos* without the approval of the metropolitan (c. 11 VII).

An orphaned diocese, one temporarily without a bishop, should keep its revenues untouched by the *economos* until a new bishop is elected and installed (c. 25 IV).

ECUMENICAL SYNOD: See SYNOD, ECUMENICAL.

ELECTION: The election of the metropolitans of Pontus, Asia, and Thrace is to be according to the custom (c. 28 IV). Elections may not be held in the presence of hearers (c. 5 Laodicea).

ELECTION (OF A BISHOP): See, BISHOP, B. Election to the office of bishop.

ELECTION (OF A PRIEST): See PRESBYTER/PRIEST, B. Election of a priest.

ELECTION (OF A DEACON): See DEACON, B. Election of a deacon.

ELOPE: Those who in the name of marriage forcibly carry off (elope[121] with) women and those who in any way assist them, if they are clerics they should lose their rank; if they are laypeople, they should be anathematized (c. 27 IV; c. 92 VI). See also RAVISHER.

If the elopement is done with the approval of the fiancée, proved by evidence before and after eloping, and if the parents agreed, the Church will approve the eventual betrothal and marriage based on the consent of the parties (c. 92 VI; c. 67 Ap; c. 27 Carthage; c. 22, 30 Basil the Great).

EMPEROR, THE: As the Christian Church thrives now in many countries that no longer have emperors, the authority and the privileges of the former Christian emperors have been partially transferred to the secular powers of the respective countries.

Members of the Church are not allowed to insult the king or a ruler (i.e., civil authorities); whoever does that should be punished: a clergyman should be deposed, and a layperson should be excommunicated (c. 84 Ap).

Charges against a bishop should not be brought before the emperor (i.e., civil courts) but rather to the synod (c. 6 II).

Bishops and priests are not allowed to address the emperor without the consent of and letters from the metropolitan and provincial bishops (c. 11 Antioch).

A clergyman who appeals to the emperor rather than to the synod against a sentence of deposition may not be restored, nor may his cause he reheard by a synod; he loses the right to appeal (c. 12 Antioch).

ENGAGEMENT: See BETROTHAL.

ENTREATY: The communicant who comes to church, attentively hears the Holy Scriptures, and then despises, goes forth from, and turns his back upon Holy Communion—let him be cast out. After having brought forth fruits of repentance and made earnest entreaty, then he shall be indulged (*economia*) (c. 2 Antioch).

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121. In today's legal understanding, this is not elopement, but abduction or even rape.

EPARCHY: An eparchy is the canonical territory ruled by a hierarch. It usually refers to a diocese, but in some contexts it can be as small as a parish or as large as a province or a country. The eparchy is led by the bishop (c. 9 Antioch).

Without invitation, a bishop may not enter another eparchy and meddle in its church business (c. 35 Ap; c. 2 II; c. 20 VI; c. 18 Ancyra; c. 3, 11 Sardica; c. 13, 22 Antioch).

"The order of ecclesiastical parishes shall follow the civil and public forms" (c. 17 IV; c. 38 VI). The parishes and the dioceses shall be set according to the civil territorial organization of the state or country.

EPISCOPATE: Bishops are not allowed to ordain their relatives to the episcopate; if anyone does so, the ordination should be void and the ordainer should be excommunicated (c. 76 Ap).

A bishop is forbidden to bequeath the episcopate to his heirs (c. 76 Ap).

Deposition from the episcopate involves loss of clerical rank; a bishop may not be demoted to the rank of a priest; he is to be either altogether deposed or restored to his former rank (c. 29 IV).

For the disqualifications from the episcopate, see DISQUALIFICATIONS: B. Disqualifications from the episcopate.

EPITIMIA: *Epitimia*, or penances, are the sanctions given to those who commit sins; *epitimia* are temporal in character and healing in purpose.

One who received from God the power to loose and to bind—in other words, a sacramental minister—should carefully consider the sin and the disposition of the sinner and give him or her such penances (*epitimia*) as will heal the wounds and bring him or her swiftly and surely to the truth (c. 102 VI).

A clergyman giving penances should be careful that "neither gentleness fall into licence nor severity into harshness" (c. 3 VI).

Epitimia should be analogous to the sins committed and confessed by the penitents (c. 1 Gregory of Nyssa).

A bishop has the right to extend or reduce the *epitimia*; he also has the right to pardon penitents who have sincerely repented of their sins (c. 12 I; c. 16 IV; c. 102 VI; c. 2, 5, 7 Ancyra; c. 6, 43 Carthage; c. 2, 54, 74, 84, 85 Basil the Great; c. 4, 5, 7 Gregory of Nyssa; c. 3 Athanasios the Great; c. 3 John the Faster).

Examples of penances:

- For adultery, fifteen years of excommunication (c. 58 Basil the Great); for the same sin, c. 20 Ancyra prescribes seven years of excommunication.
- For sodomy, fifteen years of excommunication (c. 7, 62, 63 Basil the Great; c. 59 John the Faster).
- For bestiality, fifteen years of excommunication (c. 63 Basil the Great).
- For fornication, seven years of excommunication (c. 59 Basil the Great).
- For incest with relatives of blood or through marriage, bestiality, or witchcraft, a man should be cast out from the priesthood (c. 87 Basil the Great; c. 26, 65 John the Faster).
- For fornication with a sister, twenty years of excommunication (c. 67 Basil the Great). For the same sin, John the Faster prescribes fifteen years of excommunication (c. 24 John the Faster).
- For fornication with a daughter-in-law, a mother-in-law, her mother, or with the godmother's mother, eleven years of excommunication (c. 79, 67, 75 Basil the Great; c. 26 John the Faster).
- For fornication with a first cousin, ten years of excommunication; with a second cousin, nine years; with a godmother's mother, eleven years; with a godmother, twenty years; with a sister-in-law, eleven years. A woman who fornicates with two brothers is canonized with eleven years of excommunication (c. 60, 63, 58 John the Faster).
- For fornication with a mother-in-law, twenty years of excommunication (c. 79 Basil the Great).
- For sexual relationships between men (i.e., homosexual relations), eighteen years of excommunication (c. 4 Gregory of Nyssa); Basil the Great, fifteen years (c. 62). John the Faster, through *economia* and other associated penances (crying, fasting, eating dry food once a day, two hundred prostrations) prescribed three years of excommunication; lack of zeal in *epitimia* would bring the penance back to fifteen years of excommunication (c. 29 John the Faster).
- For adultery committed by the wife of a deacon or a priest, three years of excommunication is mandated to her, along with associated penances; however, this adultery leads to the destruction of

the life of the minister. If the husband keeps his adulterous wife, he will be deposed from the ministerial position; otherwise, he must divorce his wife immediately (c. 62 John the Faster; c. 8 Neocaesarea).

- For sodomy with his wife a man is canonized with eight years of excommunication (c. 65 John the Faster).
- For perjury, ten years of excommunication; if someone was forced into it, six years (c. 64, 82 Basil the Great).
- For masturbation, fasting for forty days and performing one hundred prostrations per day (c. 20 John the Faster).

EQUINOX, VERNAL: See VERNAL EQUINOX.

EREMITES: "Those who are called Eremites and are clothed in black robes, with long hair, go about the cities and associate with worldly men and women and bring odium upon their profession." They are to live in the monasteries, but if they do not choose to do this, they are to be expelled from the cities and forced to live in the desert (*erimos*), from which their name derives (c. 42 VI).

EUCHARIST: See COMMUNION/EUCHARIST.

EUDOXIANS: Eudoxians were Arians under the leadership of Eudoxius; they described the Son as "like to the Father" without clarification concerning the likeness—was it only moral or in substance? The heresy of the Eudoxians was anathematized by the Second Ecumenical Council (c. 1 II).

EULOGIAE: *Eulogiae*, or *prosphores*, are loaves of bread prepared for the oblation that are usually distributed to the faithful at the end of the Divine Liturgy as blessed bread, or antidoron. See also BREAD/ANTIDORON/*EULOGIAE*.

The holy things are not to be sent to other dioceses at the feast of Easter (Pascha) by way of *eulogiae* (c. 14 Laodicea). Clergymen may not receive *eulogiae* from the heretics, for they are follies (c. 32 Laodicea).[122]

EUNOMIANS: Eunomians were ultra-Arians who denied the eternity and the uncreatedness of the Son; their first leader was Aetius, who was followed by Eunomius. They claimed that the Son was not "like

122. C. 32 Laodicea plays on the Greek words εὐλογίαι ("blessings") and ἀλογίαι ("follies").

to the Father in essence." The heresy of the Eunomians is anathematized (c. 1 II); Eunomians who come to Orthodoxy are to be received as heathen, through baptism (c. 7 II).

EUNUCH: A eunuch is a man who has been castrated. One who was made so by the violence of men in a time of persecution or was so born and is otherwise worthy may be made a bishop (c. 21 Ap). A eunuch may be ordained if he was made so by force or for surgical purposes; but if he castrated himself, he may not be ordained; if already ordained, he should be cast out of the Church (c. 1 I).

EUSTHATIANS: The Eusthatians were the followers of Eusthatius, bishop of Sebaste in Armenia, who abhorred marriage, declaring that those who live in the state of marriage do not have any hope toward God. Members of this sect refused to partake if the oblation prepared by married priests, established separate congregations and doctrines and other things in opposition to the Church, and wore strange vestments. They fasted on the Lord's Day, abhorred meat, condemned the services dedicated to the martyrs, and so on. The Council of Gangra cast Eusthatius and his followers out of the Church and anathematized every one of these false doctrines.[123]

EVIDENCE/WITNESS: In order to prove that someone is guilty, evidence from two or three witnesses is needed; one witness is not enough to prove the guilt (c. 75 Ap; c. 85 VI; c. 132 Carthage).

No one should be sanctioned unless proved guilty (c. 133 Carthage).

In an ecclesiastical trial, the witness may be only an Orthodox Christian who lives an irreproachable moral life (c. 75 Ap; c. 129, 131 Carthage; c. 6 II; c. 9 Theophilos of Alexandria).

A heretic may not witness against clergy (c. 75 Ap), nor may schismatics, the anathematized, the excommunicated, those who are themselves accused, the immoral, and so on (c. 128, 131 Carthage; c. 6 II). Likewise, no pagans, slaves, or freedmen, or those who have lost their civil rights may testify (c. 131, 129 Carthage).

One who witnessed a sin and refuses to bear witness should be punished with the same *epitimia* as the one who sinned (c. 71 Basil the Great).

123. See the Synodical Letter of the Council of Gangra, in Henry R. Percival, ed., Seven Ecumenical Councils of the Undivided Church, NPNF 2.14: 91.

For regulations concerning evidence in the trial of a clergyman, see BISHOP, PRESBYTER, DEACON, CLERGY.

EXAMINATION: Candidates for the ministry should be examined, and only those found worthy should be promoted to clergy (c. 9 I; c. 33 VI; c. 12 Laodicea; c. 18 Carthage; c. 89 Basil the Great; c. 7 Theophilos of Alexandria; c. 4 Cyril of Alexandria).

The clergy of the Paulianists, who are reconciled with the catholic Church, should be examined before ordination (c. 19 I).

A deaconess must be examined before ordination (c. 15 IV).

If someone brings a private complaint against the bishop—that is, one relating to his own affairs—no examination of the accuser should be made (c. 6 II); but those who bring charges of an ecclesiastical nature must be examined (c. 6 II; c. 21 IV).

A clergyman from abroad should be examined before being received in communion (c. 33 Ap).

The lapsed who desire restoration to the catholic Church should be examined (c. 2, 3, 5, 7, 9 Ancyra).

The lives of those under penance for bestial lusts should be examined to ascertain whether *economia* applies (c. 16 Ancyra).

The excommunicated who are on their deathbed should be examined in order to be allowed to receive Holy Communion (c. 13 I).

Before pacifical letters are given to the poor, the potential recipients should be examined (c. 11 IV). See also LETTERS.

Mutual examination concerning doctrines of the Church is one of the objectives of the synod of the bishops (c. 37 Ap).

EXARCH: An exarch is a clergyman who represents the mother Church in a territory. Complaints against the metropolitan are to be laid before the exarch of the archdiocese or of the throne of Constantinople (c. 9, 17 IV). Exarchs my not acquire or usurp jurisdiction contrary to the canons of the blessed Fathers and ancient custom; if someone acts contrary to what has been determined, these changes should be of no effect (c. 8 III).

EXCESS: Dissolute and effeminate excess in dress is condemned (c. 21 Gangra).

EXCOMMUNICATED, CLERGYMAN: An excommunicated clergyman may be received back into community only by the bishop who excommunicated him or, if that bishop is dead, by his legitimate successor (c. 32 Ap; c. 6 Antioch).

An excommunicated clergyman may not be received by another bishop until his sanction has been lifted by the bishop or synod (c. 16, 32 Ap; c. 5 I; c. 3, 6 Antioch; c. 13 Sardica).

If a clergyman is excommunicated and enters another jurisdiction by hiding his excommunication, his time of excommunication will be lengthened (c. 13 Ap).

A clergyman who believes that he has been excommunicated unjustly by his bishop may appeal to the metropolitan (c. 14 Sardica).

An excommunicated clergyman or layperson may not bring charges against a bishop (c. 129 Carthage; c. 6 II).

EXCOMMUNICATION (GENERAL): Excommunication was used as sanction for those who broke the law;[124] Genesis 17:14; Exodus 11:15; Leviticus 20:6, 27:28; and Ezra 10:8 are among the scriptural cases of excommunication. In their penitential discipline, the Jews used three forms: *herem, niddui,* and *nezifa.* Eventually, two forms of excommunication became the norm: major and minor excommunication. Major excommunication entailed the transgressor's exclusion from society. Minor excommunication excluded the transgressor only from the synagogue. The New Testament also mentions quite a few cases of excommunication: Matthew 18:17; John 5:10; 1 Corinthians 5:4, 16:22; 2 Thessalonians 3:14; Romans 16:17; and Acts 13:8–11.

The Church discipline inspired by the teachings of the Lord and of the apostles applied the sanction of excommunication to those who were guilty of major sins (e.g., heresy, schism); this meant that the transgressors were denied Holy Communion; if they did not show remorse and repentance, they were not only denied Holy Communion but were also ostracized from the community. This act of severing the ties with the community gave the meaning to the term *excommunication.*

Through excommunication a layperson is barred from Holy Communion for a period of time or until death; for a clergyman, excommunication can be understood as his suspension from the

124. In the Old Testament there were 24 offences which led to excommunication (expulsion from the community). Excommunication was issued by a court of ten and extended, for the first offence, to 30 days; continuing in sin and not showing signs of repentance, another 30 days would be added. A third excommunication was severely punished, cutting off from the community (practically exile) and a curse.

administration and receiving of sacraments—basically, suspension from sacramental duties (Milash, *Canons,* 1, 1, 188-192).

Excommunication is equivalent to spiritual death: the excommunicated may not receive any sacraments nor a church burial. However, excommunication may be lifted, either during one's lifetime or after one's death. Excommunication of clergymen is also referred to as DEPOSITION or SUSPENSION.

Those excommunicated in one diocese may not be received in another; nevertheless, inquiry should be made to see whether the excommunication was the result of an "ungracious disposition of the bishop." (c. 5 I, in NPNF 2.14: 13) The provincial synod may pronounce a milder sentence for the excommunicated (*economia*; c. 5 I), and it may reverse a bishop's sentence of excommunication (c. 5 I; c. 6 Antioch). See also ANATHEMA.

EXCOMMUNICATION, OF A METROPOLITAN: A metropolitan who professes the heresies of Nestorius and Celestius is to be excommunicated (Encyclical of Ephesus; c. 1 III).

EXCOMMUNICATION, OF A BISHOP: A bishop who receives in his diocese clergy and laypeople who are excommunicated should be himself excommunicated (c. 12 Ap; c. 4 Antioch).

Excommunication is pronounced against a bishop who, after deposition, meddles with the divine services which previously had been entrusted to him (c. 28 Ap; c. 4 Antioch).

Excommunication is pronounced against a bishop who receives in his diocese clergymen who left their parishes without the approval of their bishops (c. 16 Ap; c. 20 IV).

Excommunication is pronounced against the bishop who obtained his Church through aid of a temporal power—that is, the civil authorities and rulers (c. 30 Ap). A bishop who obtains a dignity through simony should be excommunicated (c. 29 Ap).

A bishop who denies the name of Christ should be cast out (i.e., defrocked); if he denies the name of a clergyman, he should be deposed. If he repents, he should be received as a layman (c. 62 Ap).

If a bishop abstains from marriage, meat, or wine because he abhors them, he should be corrected; otherwise, he should be deposed and cast out of the Church (c. 51 Ap).[125]

125. The Apostolic canon 51 reflects the practice of the early Church, practice that was changed by the Sixth Ecumenical Council (in Trullo, 692) which decided that bishops should be recruited only from among celibates.

A bishop who petitions the emperor without the consent of the metropolitan and of the provincial synod should be excommunicated (c. 11 Antioch).

A bishop who does not help poor clergymen from his territory with whatever they need should be excommunicated (c. 59 Ap).

A bishop who ordains one of his relatives in his place should be excommunicated (c. 76 Ap).

A bishop who was duly elected but not received in his diocese and causes trouble for other dioceses should be excommunicated (c. 18 Ancyra).

A bishop who refuses to go to the diocese for which he was ordained should be excommunicated (c. 36 Ap; c. 17 Antioch). A notable case is that of St. Gregory of Nazianzus, who lost the throne of Constantinople because he refused to go to the see for which he was ordained, Sasima.

A bishop deposed for fornication, perjury, or theft is not to be excommunicated (c. 25 Ap). See also PUNISHMENT (TWICE FOR THE SAME OFFENSE).

EXCOMMUNICATION, OF A CLERGYMAN (PRIEST OR DEACON): No clergyman shall divorce his own wife under the pretext of piety (c. 5 Ap).

A clergyman who does not partake of Holy Communion and does not state the reason for it should be excommunicated (c. 8 Ap).

A clergyman who obtained his office through simony should be deposed (c. 29 Ap).

A clergyman who refuses the office for which he was ordained and the care of laity entrusted to him should be excommunicated (c. 29 Ap).

A clergyman who without approval goes to a church other than the one for which he was ordained and refuses to come back should be excommunicated (c. 16 I; c. 20 IV).

A clergyman who wastes his time by playing dice or getting drunk should be excommunicated (c. 42 Ap; c. 50 VI).

A clergyman who joins in prayer with the heretics should be suspended, but if he has permitted them to perform any services, he should be deposed from the office (c. 45 Ap).

A clergyman who spends time in a tavern where intoxicating beverages are served should be excommunicated (c. 54 Ap).

A clergyman who insults a superior should be excommunicated (c. 54 Ap).

A clergyman who mocks the lame, the deaf, the blind, or the infirm should be excommunicated (c. 57 Ap).

A clergyman who neglects the clergy and laity and does not instruct them in the way of godliness should be excommunicated (c. 58 Ap).

A clergyman who takes from the church any vessel or sanctified object and gives it a personal use should be excommunicated (c.73 Ap; c. 10 Constantinople I–II).

A clergyman deposed for fornication, perjury, or theft is not to be excommunicated (c. 25 Ap). See also PUNISHMENT (TWICE FOR THE SAME OFFENSE).

EXCOMMUNICATION, OF MINOR CLERGY: The penalty of excommunication for those who belong to the ranks of minor clergy should be pronounced on those of them who remain in communion with a bishop who obtained his eparchy through secular rulers (c. 30 Ap). The same penalty applies to members of the minor clergy who communicate with a bishop, priest, or deacon who after deposition meddles with his former ministry (c. 4 Antioch).

Minor clergymen who communicate with excommunicated individuals should be excommunicated themselves (c. 2 Antioch).

Minor clergymen who deny the name of Christ should be excommunicated (c. 62 Ap).

Minor clergymen who abstain from marriage, meat, and wine because they abhor them should be excommunicated (c. 51 Ap).

Minor clergymen who petition the emperor without the consent of the metropolitan or the provincial bishop should be excommunicated (c. 11 Antioch).

EXCOMMUNICATION, OF A LAYPERSON: A layperson who prays with excommunicated individuals should be excommunicated (c. 10 Ap; c. 2 Antioch).

A layperson who despises his bishop and becomes a heretic should be excommunicated (c. 31 Ap; c. 5 Antioch; c. 13 I; c. 13 Constantinople I-II.

A layperson who kills someone should be excommunicated (c. 65 Ap).

A layperson who fasts on Saturdays (with exception of the Holy Saturday) and Sundays should be excommunicated (c. 66 Ap; c. 55 VI).

A layperson who insults the king or the rulers (i.e., civil authorities) should be excommunicated (c. 84 Ap).

A layperson who does not obey the bishop should be excommunicated (c. 8 IV).

A layperson may not distribute Holy Communion to himself when a deacon or a presbyter or a bishop is present; one who does so should be excommunicated for a week (c. 58 VI).

A layperson who without serious excuse misses the divine services of the Church for three consecutive Sundays should be excommunicated (c. 11 Sardica; c. 80 VI).

Laypeople who come in and hear the Scriptures but do not stay for the prayers and Holy Communion are to be excommunicated as causing disorder in the Church (c. 9 Ap).

A layperson may not preach in church without the approval of the presiding clergyman, as not all are prophets, nor all apostles; if he does so, he should be excommunicated for forty days (c. 64 VI).

A layperson who does not believe in the sanctity of marriage and at a wedding refuses to eat meat and drink wine should be excommunicated (c. 51 Ap).

A layperson is not allowed to have parties in the Lord's house nor to spread couches there; anyone who does so should be excommunicated (c. 76 VI).

A layperson who is guilty of bestial lusts should be admitted to Holy Communion only at the point of death (c. 16 Ancyra).

A woman who marries her brother-in-law and refuses separation should be excommunicated (c. 2 Neocaesarea).

EXCOMMUNICATION, OF A MONASTIC: A monastic (monk or nun) who does not obey the bishop should be excommunicated (c. 8 IV). Monastics are under the authority of the local bishop; if they meddle in ecclesiastical and secular affairs, they should be excommunicated (c. 4 IV).

Monastics shall not contract marriage; if they do so, they should be excommunicated (c. 16 IV).

EXCOMMUNICATION, OF A VIRGIN: A dedicated virgin who marries is to be excommunicated; but the bishop shall have the power of indulgence toward her (*economia*) (c. 16 IV).

EXCOMMUNICATION, OF A CATECHUMEN: If a catechumen falls into sin, if a kneeler and he sins no more, let him be among the hearers; but should he sins while among the hearers, let him be cast out altogether (c. 5 Neocaesarea).

EXCOMMUNICATION (MAJOR): See ANATHEMA.

EXORCISM: The exorcism of sins before baptism is specified in the *Apostolic Constitutions* (AC 7.41–42).

Exorcism is one of the stages through which Christians who fell in heresy and who are willing to come back to Orthodoxy have to pass. "On the first day, we make them Christians; on the second, catechumens; on the third, we exorcize them by breathing thrice in their faces and ears; and thus, we instruct them and oblige them to spend some time in the Church, and to hear the Scriptures; and then we baptize them"[126] (c. 7 II).

EXORCIST: "An exorcist is not ordained. For it is a trial of voluntary goodness, and of grace of God through Christ by the inspiration of the Holy Spirit. For he who has received the gift of healing is declared by the revelation of God, the grace which is in him being manifest to all. But if there be occasion for him, he must be ordained a bishop, a presbyter, or a deacon" (AC 8.26).

An exorcist may be ordained by a *chorepiscopos* (c. 10 Antioch). He must be promoted (appointed) by the bishop; otherwise, he may not act officially (c. 26 Laodicea).[127]

An exorcist is not allowed to enter a tavern (c. 24 Laodicea).

EXPULSION: Any clergymen or monks who conspire or band together or hatch plots against their bishops or fellow clergymen should by all means be deposed from their rank (c. 18 IV).

126. Cf. c. 7 II in NPNF 2.14: 185.

127. Balsamon noted that there were people who catechized ("adjured") other people, even if they had not been ordained by the bishop. As long as they were doing this in private places and not in a church, they did not deserve punishment. But if an exorcist adjured someone in church, he had to be promoted by the bishop.

Clergymen and monks who go without approval to Constantinople and cause disturbances there are to be expelled from the city and return to their own place (c. 23 IV).

If a bishop is rejected by the diocese and if he is willing, he may remain a presbyter to his own parish, but if he acts seditiously against the bishop established there, the honor of presbyterate shall be taken from him, and he shall be expelled from the diocese (c. 18 Ancyra).

A bishop who seizes a vacant see without the approval of the full synod shall be expelled (c. 16 Antioch).

EYE: If someone has been deprived of an eye or is lame of a leg but is otherwise able in physical and psychic aptitudes, he may be a clergyman (c. 77 Ap).

FAITH, SYMBOL OF: See CREED.

FAITHFUL, THE: See LAYPEOPLE.

FALSE ASCETICISM: See ASCETICISM, EREMITES.

FASTING: Wednesday is a day of fasting because on that day the Jews conspired to betray Jesus; Friday is also a day of fasting, because Christ then suffered for us. Orthodox Christians keep the Lord's Day as a day of joy because then the Lord rose. The tradition is not to kneel on that day (c. 15 Peter of Alexandria).

The Orthodox fast on the fourth day (Wednesday) of the week as Judas betrayed him on that day for money, and on the day of Preparation (Friday), because on that day the Lord suffered the death of the cross under Pontius Pilate. But keep the Sabbath and the Lord's day festival days (AC 7.23).

A clergyman found fasting on the Lord's day or on the Sabbath (with exception of Holy Saturday), should be deposed; laypeople who do the same should be excommunicated (c. 66 Ap; c. 55 VI; c. 18 Gangra canonizes with anathema).

If any bishop, presbyter, deacon, reader, or singer does not fast during Great Lent or Wednesdays and Fridays, let him be deposed unless he is hindered by some bodily infirmity; a layperson who does not fast should be excommunicated (c. 69 Ap).

If any bishop, presbyter, deacon, or anyone on the sacerdotal list keeps fasts or festivals with the Jews, let him be deposed. A layperson who does so should be excommunicated (c. 70 Ap).

The Divine Liturgy should be performed only by clergy who have fasted (c. 29 VI; c. 41; 47 Carthage).

The faithful should not eat eggs and cheese (as the Armenians do) on Saturdays and Sundays during Great Lent. Those who do not observe this law should be punished: clerics with deposition, laypeople with excommunication (c. 56 VI).

The fast of Holy Week should be continued until after midnight on the Saturday of the Resurrection, as the Evangelists Matthew and Luke have shown that the Resurrection took place "after the Sabbath" (Matt. 28:1) or "at early dawn" (Luke 24:1; c. 89 VI).

If any of the ascetics, without bodily necessity, should disregard the fasts commonly prescribed and observed by the Church, let him be anathema (c. 19 Gangra).

The communicants are required to fast during Great Lent (c. 69 Ap; c. 50 Laodicea) and on Wednesdays and Fridays unless they are hindered by a bodily infirmity; those failing to do so should be excommunicated (c. 69 Ap).

Monks are supposed "to give themselves to fasting and prayer" (c. 4 IV).

A digamist may be admitted to communion after a period of fasting and prayer (c. 1 Laodicea).

During Great Lent, weddings and birthday feasts are not to be celebrated (c. 52 Laodicea).

Those who have fasted more strictly could receive release from fasting, while those who did not strive in fasting should not receive release (c. 1 Dionysios of Alexandria).

A pregnant woman should receive release from keeping the Paschal fast (Great Lent; c. 8 Timothy of Alexandria).

A sick man may receive release from keeping the Paschal fast (c. 10 Timothy of Alexandria).

Fasting is useful for both monks and laypeople and should be done with measure and humility; through fasting, Christians show that they love God (Symeon of Thessalonika, IX.56).

Whoever gives release from fasting on Wednesdays and Fridays is crucifying Christ, as the Jews did, because Wednesday he was betrayed and Friday he was crucified (EL 1552).

If the Annunciation falls on Holy Thursday or Holy Friday, the faithful may receive release from fasting from fish and wine (c. 5 Nicephorus the Confessor).

During Great Lent, the faithful are allowed to baptize, to ordain, and to tonsure monastics; however, betrothals and weddings may not be performed unless in case of necessity, and those should be done on the Annunciation or Palm Sunday (Symeon of Thessalonika, IX.25).

FATHER: A father who under pretext of piety forsakes or neglects his children should be anathematized (c. 15 Gangra).[128]

FEASTS/FESTIVALS: Communicants are not allowed to keep fasts with the Jews or to receive gifts from their festivals (e.g., unleavened bread); clergymen who do so should be deposed, and laypeople who do so should be excommunicated (c. 70 Ap; c. 37, 38 Laodicea). It is not lawful to receive portions sent from the festivals of heretics (c. 37 Laodicea). It is not lawful to feast together with the heathen (c. 39 Laodicea).

Any Christian who takes oil into or light lamps in a temple of the heathen or synagogue of the Jews at their festivals should be excommunicated (c. 71 Ap).

A bishop, a priest, or a deacon who abstains from meat and wine on festival days because he abhors them is to be deposed (c. 53 Ap).

Members of the clergy should not watch plays at weddings and banquets; before the players enter, they should rise and depart (c. 54 Laodicea). See also PLAYS.

FIANCÉE (BETROTHED): A man who marries the fiancée of another commits adultery

(c. 98 VI; c. 22 John the Faster).

FIRSTFRUITS: The firstfruits are not to be offered at the altar, except new ears of corn and clusters of grapes; whoever does otherwise should be deposed (c. 3 Ap).[129] All other firstfruits are to be taken to the house of the bishop and priest to be shared by them with other clergy (c. 4 Ap). Individuals who misappropriate the firstfruits of the Church should be anathematized (c. 7, 8 Gangra).

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128. This canon condemns the Eustathians, who taught their disciples to leave their families and children in order to live in asceticism.

129. Among firstfruits not allowed on the altar as sacrifice, the canon mentions honey, milk, strong-made drink (raki), birds, any other living things, and vegetables. See c. 3 Ap.

FLESH/MEAT: In the Christian faith flesh, or meat, is no longer an object of sacrifice and burnt offerings; consequently, some canonical prescriptions relate to meat that has been used as an offering or a sacrifice, others to meat as a nonfasting food, and others to the care to be taken in handling the meat.

If any bishop or presbyter offers anything at the altar other than that which the Lord ordained for the sacrifice, such as honey, milk, strong-made drink instead of wine, birds, any living things, or vegetables, let him be deposed (c. 3 Ap).

It is ridiculous to vow not to eat pork, and to abstain from it is not necessary (c. 28 Basil the Great).

Abhorrence of flesh is a blasphemous slander of God's work and, if not corrected, is punishable with deposition and casting out of the Church (c. 51 Ap).

A clergyman (bishop, priest, or deacon) who abstains from flesh on feast days not because of religious restraint but because he abhors it should be deposed (c. 53 Ap).

If any clergyman from the sacerdotal list eats the flesh of animals slain by beasts or the flesh of animals that have died naturally, he should be deposed; a layperson who does the same should be excommunicated (c. 63 Ap).

If a clergyman abstains from meat, he should taste it once, and afterward he may abstain; but if he disdains it and will not even eat vegetables cooked with meat, he should be deposed (c. 14 Ancyra).

If anyone condemns people who eat flesh that is without blood and has not been offered to idols or strangled, looking upon them as people without hope of salvation because they eat flesh, let him be anathema (c. 2 Gangra).

We have learned that in the regions of the Armenians, certain people boil joints of meat within the sanctuary[130]and offer portions to the priests, distributing it after the Jewish fashion (c. 99 VI).

FOOD: It is not permitted to eat in church (c. 74 VI; c. 28 Laodicea; c. 42 Carthage). Within the sacred bounds, food may not be eaten, offered, sold, or traded; whoever does so should be excommunicated (c. 76 VI).

130. This practice reminded the Fathers at the Sixth Ecumenical Council of the Jewish animal sacrifices (called also burnt-offerings) and consequently they banned this type of sacrifice and demanded the excommunication for the culprits.

A clergyman who abstains from meat not by way of religious restraint but because he abhors it should be corrected or else deposed; likewise, a layperson who does so should be corrected or else be excommunicated (c. 51, 53 Ap; c. 14 Ancyra).

FOREIGNER: No foreign clergymen (bishop, presbyter, or deacon) should be received without commendatory letters; moreover, they should be examined, and if they do not preach godliness, they may not be received in communion, although they will be supplied with what they need (c. 33 Ap). Foreigners should not be received without pacifical letters (c. 7 Antioch). See also LETTERS.

FORGIVENESS: See ABSOLUTION, PARDON, RECONCILIATION.

FORMULA: Baptism is to be performed according to the catholic (i.e., universal) formula, "In the Name of the Father, Son, and Holy Spirit"; baptizing into three Unoriginated Beings or three Sons or three Comforters is to be sentenced with deposition (c. 49 Ap).[131]

FORNICATION, GENERAL: Sexual sin committed by a man and a woman is called fornication. If one party is married, then this sin is adultery. In the Old Testament, fornication and loss of virginity before marriage was punished with death. If the husband charged his bride with non-virginity and his accusation is proven by her family as false, the husband is fined with 100 shekels of silver and required to keep her in marriage without any possibility of divorce (Deut. 22:14-19). "If, however, this charge is true, that evidence of the young woman's virginity was not found, then they shall bring the young woman out to the entrance of her father's house and the men of her town shall stone her to death." The same sentence was applied for adultery: "If a man is caught lying with the wife of another man, both of them shall die" (Deut. 22:21–22). The New Testament also enforces the need for morality: "Shun immorality. Every other sin which a man commits is outside the body; but the immoral man sins against his own body. Do you not know that your body is a temple of the Holy Spirit within you, which you have from God?" (1

131. In some Protestant churches, the Trinitarian formula "of the Father, and of the Son, and of the Holy Spirit" has been replaced with other formulas; one example is "in the name of the Creator, Redeemer, and Sustainer." Any variation is forbidden; for example, the heretic Montanus viewed himself as the incarnation of the Holy Spirit and baptized people "in the name of the Father, Son, and Montanus."

Cor. 6:18–19). Fornicators will not see the kingdom of God (1 Cor. 6:9–10; Gal. 5:19–21; Eph. 5:5; Rev. 21:8).

Through fornication, a person satisfies his or her sexual appetite without hurting anyone else (c. 4 Gregory of Nyssa); thus fornication can be considered less damaging than adultery.

Clergy who are guilty of fornication should not be excommunicated but deposed (c. 25 Ap; c. 4 VI;[132] c. 3, 32, 68 Basil the Great; c. 18 John the Faster).

If a priest commits adultery or whoredom, he shall be expelled and should be put to penance (c. 1 Neocaesarea).

One who marries a harlot may not become a clergyman (c. 18 Ap; c. 3 VI).

One who has been convicted of fornication or adultery should not be promoted to the clergy (c. 61 Ap; c. 7, 36 Nicephorus the Confessor); if by mistake he has been accepted into the clergy, he should be expelled (c. 3, 6, 9 Theophilos of Alexandria).

A dedicated virgin guilty of fornication should fulfill the penance of the digamists (c. 19 Ancyra). See also DEDICATED VIRGIN.

Monastics who commit fornication should be punished as fornicators (c. 44 VI); they must be treated as adulterers (c. 60 Basil the Great), and they must also abstain from communion for two years, with fasting and prostrations (c. 12 John the Faster). See also ADULTERY; *EPITIMIA*.

FORNICATION, OF A CLERGYMAN: Fornication committed by clergymen is a very serious sin, as God's grace is invoked over clergymen at ordination and they are expected to behave in an exemplary way. For "they shall not take a woman who is profaned by harlotry, nor shall they take a woman divorced from her husband; for he is holy to his God" (Lev. 21:7).

If a bishop, presbyter, or deacon is found guilty of fornication, perjury, or theft, let him be deposed, but let him not be excommunicated, for the Scripture says, "You shall not punish a man twice for the same offense"; in like manner, the other clergy shall be subject to the same proceedings (c. 25 Ap).

If any bishop, presbyter, deacon, subdeacon, reader, cantor, or doorkeeper has had intercourse with a woman dedicated to God, let

132. C. 4 VI refers specifically to the fornication with a "woman dedicated to God", i.e. nuns, deaconesses, virgins, or widows belonging to the order of widows.

him be deposed as one who has corrupted a spouse of Christ; but if he is a layman, let him be cut off (c. 4 VI).

If the wife of a clergyman commits adultery, the clergyman is required to divorce her; failing to do so, he ceases to be a clergyman (c. 8 Neocaesarea).

If after ordination a priest confesses carnal sin, that disqualifies him from making the oblation, although he may remain in his other functions on account of his zeal in other respects, for the ordination blots out other kinds of sins (c. 9 Neocaesarea).

If a deacon, after ordination, confesses that he had committed carnal sin, he may no longer perform his diaconal duties and should be degraded to the rank of a subdeacon (c. 10 Neocaesarea).

A deacon guilty of fornication is deposed but not excommunicated, for the ancient canon forbids double punishment for a crime; furthermore, a layperson who is excommunicated may be restored to the degree from which he or she falls, but a clergyman deposed may not be restored (c. 3 Basil the Great).

A deaconess who commits lewdness with a pagan is not to be received to Holy Communion, but shall be admitted to the oblation in the seventh year, if afterward she lives in chastity; nevertheless, she is not allowed to marry that pagan or anyone else, as she married Christ (c. 44 Basil the Great).

A deacon who pollutes his lips by kissing a woman and confesses it will not be allowed for a time to celebrate the Divine Liturgy, but he shall communicate with the priests and the deacons (c. 70 Basil the Great).

If someone accuses a clergyman of an act of fornication, an investigation must be conducted even when no credible witnesses appear. If he is guilty on the basis of worthy witnesses, he should be cut off the Church; otherwise, he is worthy to remain in his clerical position (c. 9 Theophilos of Alexandria).

If the wife of a priest or a deacon commits adultery, she is penanced with three years of excommunication, dry food, and three hundred prostrations daily; she is more severely penanced than other women are because she causes the deposition of her husband. If the clergyman wants to keep her as wife, he should be defrocked; if he wants to keep his priesthood, he should divorce her (c. 62 John the Faster).

FORNICATION, OF LAYPEOPLE: Fornication is an unlawful sexual act between a man and a woman.[133]

If a man is lusting for a woman but his design does not come to effect, it is evident that he has been saved by grace (c. 4 Neocaesarea).[134]

C. 3 Gregory of Nyssa excludes the fornicator from communion for nine years, and c. 57 Basil the Great excludes him or her for seven years (c. 14 John the Faster).

Basil the Great declared that whoever is married and commits lewdness—in fact, adultery—should be punished more severely than a fornicator (c. 21 Basil the Great; c. 15 John the Faster).

If a single man or a single woman fornicates with a pagan, a Jew, a Muslim, or a heretic, he or she is penanced with excommunication of three years, and eating dry food after the ninth hour, and doing two hundred prostrations daily (c. 61 John the Faster).

If a woman fornicates with a hermaphrodite, she is penanced with three years of excommunication, eating dry food after the ninth hour, and doing three hundred prostrations daily (c. 64 John the Faster).

If one knows that someone has been proved guilty of sexual immorality, one should not eat in public places with them, for one should "not associate with anyone who bears the name of a brother if he is guilty of immorality or greed, or is an idolater, reviler, drunkard, or robber—not even to eat with such a one" (1 Cor. 5:11; c. 37 Nicephorus the Confessor).

If a woman is forced into a sexual act—that is, if she is raped—she is not to be penanced for fornication; the same applies to a slave who is abused by her master (c. 49 Basil the Great).

A fornicator is not to receive Holy Communion for seven years: two years as a mourner, two as a hearer, two as a prostrator, and one as a costander (c. 59 Basil the Great).

FORNICATION, OF MONASTICS: The immorality of a monastic is more severely punished than that of a layperson, as the monastic is

133. In the Church's understanding, the sexual act between two men or between two women is sodomy and not fornication.

134. In his commentary on this canon, Balsamon, following the teaching of the Fathers, states that in sin there are four stages: the first motion, the struggle, the consent, and the act. The first two stages are not to be penanced, while the last two will bring deposition for clergymen and excommunication for laypeople.

betrothed to God. The monastic receives at his or her tonsure a gift (i.e. charism) that he or she is supposed to keep unstained.

Monastics and professed virgins who fall into sexual sin commit fornication, and they are penanced as adulterers (fifteen years of excommunication; c. 60 Basil the Great).

A monk convicted of fornication or who takes a wife for the communion of matrimony is to be subject to the penalties for the fornicators, according to the canons (c. 44 VI).

C. 60 Basil the Great penances monastics who fornicate with the penance of the adulterers (fifteen years), while c. 44 VI (Sixth Ecumenical Council) imposes the penance of the fornicators (seven years); but John the Faster prescribed two years of abstaining from Holy Communion if the guilty one eats dry food after the ninth hour and performs 250 prostrations daily; if he is negligent in doing so, then the full term prescribed by the Fathers should be imposed (c. 16 John the Faster).

If the life of a nun was pure and if she was raped by barbarians, she should be penanced with forty days; but if in her previous life she was polluted, she is to be penanced as a fornicator (c. 21 Nicephorus the Confessor).

If someone fornicates with a nun, he should be penanced with nine years and 150 prostrations daily (EL 558).

FORNICATION, WITH BLOOD RELATIVES (CONSANGUINITY): Fornication with close relatives was punished under Old Testament law with death: "If there is a man who lies with his father's wife, he has uncovered his father's nakedness; both of them shall surely be put to death, and their bloodguiltiness is upon them. If there is a man who lies with his daughter-in-law, both of them shall surely be put to death; they have committed incest, and their bloodguiltiness is upon them" (Lev. 20:11–12).

One who commits fornication with his mother-in-law shall be penanced as are those who commit fornication with a sister (twenty years; c. 79 Basil the Great).

One who commits fornication with his mother-in-law is penanced with three years of excommunication, eating dry food after the ninth hour, and performing five hundred prostrations daily (c. 49 John the Faster).

Whoever commits fornication once with his daughter is penanced with five years of excommunication; if this is done a few times, with

twelve years, eating dry food after the ninth hour, and five hundred prostrations daily (c. 55 John the Faster).

Whoever fornicates once with his mother should be penanced with seven years of excommunication; if this is done a few times, with twelve years, eating dry food after the ninth hour, and five hundred prostrations daily (c. 56 John the Faster).

Whoever fornicates with a stepsister is to be penanced with twenty years of excommunication according to the degrees (c. 75 Basil the Great). The same penance applies to him who fornicates with his sister-in-law (c. 76 Basil the Great).

Those who fornicated with their sisters were penanced by Basil the Great with fifteen years of excommunication, but John the Faster penanced them with three years with fasting until evening and five hundred prostrations daily (c. 24 John the Faster).

He who fornicates with his betrothed was penanced by Basil the Great with eleven years of excommunication, but John the Faster penanced this sin with two years, eating dry food after the ninth hour, and doing three hundred prostrations; if he neglects to do so, he should do the penance of the Fathers (*akriveia*; c. 25 John the Faster).

Those who fornicate with their relatives are to be excommunicated as follows: with a sister, twenty years; with a mother-in-law, eleven years; with a first cousin, ten years; with a second cousin, nine years; with a goddaughter, twenty years; with a sister-in-law or two sisters or two brothers, eleven years; with a stepmother, twelve years (EL 517).

One who fornicates with his first cousin should be excommunicated for two years, eat dry food after the ninth hour, and perform five hundred prostrations daily (c. 60 John the Faster).

One who fornicates with his mother-in-law should abstain from Holy Communion for six years, and for the first six months he should abstain from eating meat, be present at all the services of the Church without receiving antidoron (blessed bread) and perform one hundred prostrations daily; the next two and a half years, he will be a hearer, and for the final three and a half years, he should be a costander (c. 26 John the Faster; c. 86 Basil the Great).

If someone fornicates with a mother and daughter, he should be excommunicated four years, eat dry food after the ninth hour, and do three hundred prostrations daily (c. 50 John the Faster).

Fornication with a brother- or sister-in-law is a serious sin; he who fornicates with his sister-in-law should be excommunicated for eleven years (EL 526).

If a woman fornicates with two brothers, she should be excommunicated for three years of excommunication, eat dry food after the ninth hour, and do three hundred prostrations daily (c. 63 John the Faster).

FORNICATION, WITH SPIRITUAL RELATIVES (AFFINITY): Whereas the spiritual relationship is stronger than the affinity of the flesh, and since it had become known that in some places certain people who become sponsors to children in holy, salvation-bearing baptism afterward contract matrimony with their mothers (who are widows), the Sixth Ecumenical Council decreed that for the future, nothing of this sort was to be done, and those did these things should be subject to the penalties imposed on fornicators (c. 53 VI).

Whoever has fornicated with his godmother should be penanced with nine years of excommunication, and whoever fornicated with the goddaughter should be penanced with twelve years and three hundred prostrations (EL 531).

Whoever has fornicated once with his goddaughter should be penanced with eight years, and if that happened more than once, then he should be penanced with ten years of excommunication, eating dry food after the ninth hour, and doing five hundred prostrations daily (c. 57 John the Faster).

Whoever fornicates with the mother of his godchild is to be penanced with eight years of excommunication, eating dry food after the ninth hour, and doing three hundred prostrations daily (c. 58 John the Faster).

FOUNDERS/DONORS: Those who found monasteries and donate their properties to them are no longer owners of the monasteries and are not allowed to make themselves abbots or to influence the election of the abbot (c. 1 Constantinople I–II). The canon states that the donation is irreversible and unconditional; if someone cannot own the gift given to another human being, how one can be the owner of gifts given to God?

FRAUD: Fraud is the intentional use of deceit, trickery, or some dishonest means to deprive the Church of money, property, or a legal right. See MISAPPROPRIATION, THEFT.

FREEMASONRY: Freemasonry is a secret organization that bases its teachings on a mystical philosophy, alien and contrary to that of the Christian Church. In the West, the masons were excommunicated by Pope Clement XII of Rome in 1738; that censure was renewed by Pope Benedict XIV and by many successive pontiffs.

The secret nature of the organization, incompatible with the open nature of the Church, along with its contrarian views about God, the Church, and salvation, puts those who want to be both Christians and Masons in a difficult bind. Masons who would like to come to the Church should be catechized with great attention and under the counsel of the bishop (EL 767).

FRIDAY: Any member of the major or minor clergy or of the laity should fast during Great Lent, on Wednesdays, and on Fridays unless hindered by some bodily infirmity; a clergyman who does otherwise should be deposed, and a layperson who does so should be excommunicated (c. 69 Ap).

FRUGALITY: Frugality and plainness are recommended (c. 21 Gangra).

FUNERAL: The funeral, being a hierurgy, is offered only for validly baptized Christians who are not under excommunication or anathema; if previously sanctioned, at the time of death they should be reconciled with the Church in order to receive funeral rites.

Cremation is not allowed in the Orthodox Church for well-understood biblical and theological reasons—humankind was created from dust, not ashes; the body is the temple of God; cremation is a pagan custom, and so on.

FUNDS OF THE CHURCH: See MONEY, PROPERTY (GOODS) OF THE CHURCH.

GAMBLING: If a clergyman is addicted to dice or drinking, "let him either give it over, or be deposed" (c. 42 Ap). A subdeacon, reader, or singer addicted to gambling and drinking should give it up or be excommunicated; the same for the layperson (c. 43 Ap).

From now on, no clergyman or layperson should play dice; if a cleric is caught playing dice, he should be deposed; a layperson should be excommunicated (c. 50 VI).

GIFTS/GOODS: In the early Church and during the Middle Ages, the clergy made a living from the gifts and goods they received from the people. Nowadays, because clergy receive a salary, this category is relevant only in terms of personal gifts.

Members of the clergy support themselves through gifts from the people, for "they who wait at the altar should be nourished of the altar" (c. 41 Ap).

A clergyman should be content with the gifts willingly brought to him (c. 99 VI).

To meet the necessities of life in small, rural parishes, a clergyman may seek support through some honest employment compatible with the priesthood (c. 15 VI).

Clergymen and laypeople are not allowed to receive gifts from the feasts of the Jews (c. 70 Ap; c. 37, 38 Laodicea) or from the feasts of the heretics (c. 14 Laodicea).

If a monk or priest receives gifts from thieves or robbers or ravishers, or if he eats or drinks with them, let him be cast out of orders and excommunicated from the Church; if he persists in this, let him be judged as the thieves, robbers, or ravishers are (EL 569).

GODLINESS: Godliness is commended (c. 21 Gangra).

GODPARENT (SPONSOR): Godfathers may not marry the widowed mothers of their godchildren; if they do so, they should desist from this unlawful marriage and then should be made subject to the penalties for fornicators (c. 53 VI).[135]

The godparent is responsible for the spiritual formation of his or her godchild (c. 45 Carthage).

One who enters monasticism must have as sponsor an older monk who will instruct him in the rules of monastic life (c. 2 Constantinople I–II).

GRACE, DIVINE: Divine grace (ἡ θεία χάρις) is the manifestation of God's power over his subjects. This grace may be the grace of the Spirit given at Holy Communion or, by extension, the grace given to ordained ministers at their ordination, as the Church considers them worthy to receive it.

"The divine grace, which heals what is infirm, and fills up what is lacking, elects the devout [subdeacon, deacon, etc.]. Let us pray

135. Justinian's law, *Codex de nuptiis*, forbade marriage between a man and his nurse or whoever received him from the baptismal font because their souls are bound together through God's mediation. In addition, the law banned marriage between an adopting parent and his or her adopted child.

therefore, that the grace of the All-holy Spirit will come upon him" (Service of Ordination, *Euchologion*).[136]

In the first prayer in the service of ordination to the priesthood, the ordaining hierarch asks that God, by his good pleasure, allow "him whom you have examined to be ordained by me" to receive the "great grace of your Holy Spirit."

Similarly, in the first prayer from the service of the ordination to the bishopric, the presiding hierarch calls upon God to send divine grace, which the prayer identifies as the grace of the Holy Spirit, upon "him who has been elected and made worthy of entering into the evangelical yoke and hierarchical dignity."

In the same services, the prayers point to the fact that the grace of God is sent upon each candidate for ordination so that he will be worthy to fulfill his specific ministry and to receive the "great reward" of the Lord's promise of salvation (cf. Matt. 25:21, 23, 20–30).

The canons of the Church clearly testify that the grace given at ordination neither overwhelms the ordained or allows him to act as he wishes; rather, he must live a humble and ascetic life, continuously asking God for renewal of the grace granted at ordination.

"The working of grace within us demands our cooperation, and as a result, our negligence can impede it. In other words, grace will sanctify us through the sacred offerings if it finds us ready and fit for sanctification; if it should, on the other hand, find us unprepared, not only do we not reap the benefit, but we suffer great harm and loss. It is this grace . . . which the priest asks may not be taken away from the holy offerings, because it can, in fact, be taken away by human wickedness."[137]

In some specific situations, the faithful may "fall from grace, and make themselves aliens therefrom" (c. 21 Ap). This canon refers to major sins committed by a clergymen, sins that can range from heresy to moral transgressions and that overthrow the grace and affect the permanent and irrevocable sentence of deposition.

GRAIN: New ears of grain (corn) may be offered at the altar (c. 3 Ap).

GRAPES: Clusters of grapes may be offered at the altar (c. 3 Ap).

136. Εὐχολόγιον τὸ μέγα, Ἀθῆναι, Ἐκδοτικός οἶκος "Ἀστηρ" 1992, p.160.

137. Nicholas Cabasilas, *A Commentary on the Divine Liturgy* (London: SPCK, 1983), 86.

GUARDIANSHIP: Clergymen and monks have an obligation to undertake the guardianship of minors and to provide for widows and orphans (c. 3 IV).

GUEST: A bishop may use some of the income of the diocese for his needs and for "the brethren to whom he has to show hospitality" (c. 41 Ap; c. 25 Antioch).

A priest should not be a guest at the marriage of a digamist (c. 7 Neocaesarea).

HAIR: A woman's long hair is the sign of her subjection to man; if she cuts it off because of pretended asceticism, let her be anathema (c. 17 Gangra).[138]

HANDS: Imposition or the laying on of hands is part of the rite of ordination. See IMPOSITION (LAYING ON) OF HANDS.

HARLOT: Marriage to a harlot is a disqualification for ordination (c. 18 Ap).

HEARERS: If catechumens fall into sin and if while kneelers sin no more, let them be promoted among the hearers; but if they sin while among the hearers, let them be cast out altogether (c. 5 Neocaesarea).

Ordinations are not to be held in the presence of the hearers (c. 5 Laodicea).[139]

HEATHEN: A convert from heathenism may not be ordained as a presbyter or a bishop. Before becoming a teacher to others, he must be tried. However, such an ordination may take place if there is a manifestation of divine grace in his favor (c. 80 Ap; c. 2 I).[140]

138. This canon responded to the Eustathians, who taught that women should shave their heads as a sign of piety. Cf. St. Paul, 1 Corinthians 11:6–16.

139. Penitents were not allowed to attend the Divine Liturgy in its entirety; thus, presence at ordinations, as well as at divine services, was reserved for the initiated. Balsamon and Zonaras, and after them, Hefele, believed that in fact the canon refers to the election of candidates, election in which the sins and potential disqualifications of the candidates were discussed. As the assembly limited access to those who had the right to elect the candidates, surely it limited access for those who, because of previous sins, were included in the category of penitents. See Hefele, *Histoire*, 1.2: 998.

140. Pope Fabian (236–250) was elected Pope of Rome under extraordinary circumstances. After the death of his predecessor, Pope Anterus, he came to Rome from his farm; as a layman did not have any chance of being elected; however, while the names of some illustrious clergymen were being considered, a dove suddenly descended upon Fabian's head. To the assembled people, this sight recalled the Gospel scene of the

Former profession of heathenism does not in itself disqualify a man from being ordained (c. 12 Ancyra).

Communicants are not allowed to feast with the heathen (c. 39 Laodicea).

Readers and singers should not give their children in marriage to the heathen unless the person marrying the Orthodox child promises to come to the Orthodox faith (c. 14 IV).

Clergymen who lapsed out of fear of heathens and denied the name of Christ—that is, committed apostasy—should be cast out (major excommunication; c. 62 Ap).

Christians are not allowed to take oil into or to light lamps in a temple of the heathen at their feasts; whoever does so should be excommunicated (c. 71 Ap).

Churches in heathen nations are to be governed according to the custom that has prevailed from the time of the Fathers (c. 2 II).[141]

Individuals who follow the customs of the heathen are to fulfill five years of penance according to the prescribed degrees: three years as prostrators and two years of prayer without oblation, as hearers (c. 24 Ancyra).

HEIRS: A bishop is not allowed to ordain one of his relatives and make him heir to the bishopric (c. 76 Ap).

HERBS: If a priest or a deacon abstains from meat, he should taste it at least once, and afterward he may abstain; but if he disdains it and will not even eat the herbs [vegetables] cooked with meat, he should be deposed (c. 14 Ancyra).

HERESIES: Christians who break the administrative laws of the Church and separate themselves from the canonical hierarchy of the Church are called *schismatics*. Christians who wander from the dogmas and the morals of the Church are called *heretics*.

descent of the Holy Spirit upon the Savior, and so divinely inspired, they chose Fabian with joyous unanimity and placed him in the Chair of Peter. See Eusebius, *The History of the Church* 6.29 (New York: Penguin, 1989), 203–204.

141. This canon established the rule that no traveling bishop or metropolitan should introduce confusion in the churches either by ordaining or enthroning; nevertheless, in churches among the heathen or barbarian nations (not belonging to the Roman Empire) an exception was made: they would receive their first bishops from other patriarchates and be governed from these patriarchates until they were able to form their own patriarchate (Hefele, *Histoire*, 2.1:21-24). Later, through c. 28 IV, this authority to provide bishops for the churches in barbarian lands was given to the Patriarch of Constantinople.

"Eschew the atheistical heretics, who are past repentance, and separate them from the faithful, and excommunicate them from the Church of God, and charge the faithful to abstain entirely from them, and not to partake with them either in sermons or prayers: for these are those that are enemies to the Church and lay snares for it; who corrupt the flock and defile the heritage of Christ, pretenders only to wisdom, and the vilest of men" (AC 7.18).

Generally speaking, all heresies are to be anathematized (c. 1 II).

Particular ways in which different heresies are to be treated are described (c. 8 I; c. 7, 8 Laodicea; c. 69 Carthage; c. 8 VII). See also HERETICS.

HERETICAL BOOKS: Heretical and spurious books are not to be read publicly in church as Scripture; whoever does so should be deposed (c. 60 Ap).

HERETICS: Heretics are those "who have broken entirely and have become alienated from the faith itself" (c. 1 Basil the Great).

A clergyman who has only prayed with heretics should be excommunicated; but if he has permitted them to perform any clerical office, he should be deposed (c. 45 Ap).

If any clergyman enters into a synagogue of the Jews or heretics to pray, he should be deposed; a layperson who does so should be excommunicated (c. 64 Ap).

It is not lawful to receive portions sent from the festivals of the heretics (c. 37 Laodicea).

It is not lawful to contract marriages with the heretics nor to give Christians' sons and daughters to them, but rather to take them if they promise to become Christians (c. 31 Laodicea).

It is unlawful to receive *eulogiae* from the heretics (c. 32 Laodicea). See also BREAD (BLESSED).

No one should join in prayers with heretics and schismatics (c. 33 Laodicea).

No Christian should forsake the martyrs of Christ and turn to false martyrs, such as those of the heretics or those of former heretics; let those who go after them be anathema (c. 34 Laodicea).

Those who go away and invoke angels and gather assemblies and are thus found in covert idolatry should be anathema (c. 35 Laodicea).[142]

Particular ways to deal with Donatists, Maximianists, and other heretics are presented in the canons (c. 66, 67, 68, 69, 91, 92 Carthage).

Particular ways to deal with the clergy and laity of the Arians and Cathari are presented in the canons (c. 2, 12 Theophilos of Alexandria).

Particular ways to deal with Encratite, Saccophorian, Apotactite, and Novatian heretics are described (c. 7 II; c. 47 Basil the Great).

The bishops gathered at Carthage thought that "it seemed good to petition the most glorious emperors that the remains of idolatry not only in images but also in any places whatever, including groves or trees, should altogether be taken away"[143] (c. 84 Carthage).

If any clergyman, out of fear of the Jews, heathen, or heretics denies the name of Christ and thus commits apostasy, let him be cast out. If he denies the name of a clergyman, let him be deposed. If he repents, let him be excommunicated (c. 62 Ap).

Heretics are not allowed to enter the church while they remain in heresy (c. 6 Laodicea).

The baptism and the Eucharist of heretics are not valid (c. 46, 68 Ap), and the ordinations performed by the heretics are not valid (c. 68 Ap). A clergyman who accepts the baptism and the Eucharist of heretics should be deposed (c. 46 Ap).

Heretics who convert to Orthodoxy should be received: some through baptism, some through chrismation, and some through profession of faith—that is, anathematization of their heresies (c. 19 I; c. 7 II; c. 95 VI; c. 7, 8 Laodicea; c. 1, 47 Basil the Great).

Heretics upon their deathbed, given good signs of their conversion, are to be received (c. 5 Basil the Great).

Heretics may not stand as witnesses against clergymen (c. 75 Ap). Heretics may not bring charges in religious matters against the clergy (c. 6 II; c. 129 Carthage).

142. Theodoret, commenting on Colossians 2: 18, mentioned a superstitious cult in Phrygia and Pisidia given to the worship of angels as defenders of the law; they believed that the law had been given through angels.

143. See NPNF 2.14: 482.

Against intolerant and violent heretics the Church may ask for help from the emperor—that is, the civil authorities (c. 93 Carthage).

HETERODOX: See HERETICS.

HIDING, OF SINS: The clergyman who is aware of sins committed by other clergymen and fails to confess them, but eventually they are detected and exposed and the guilty one is convicted of them, the one who knew of the sin shall do the same time that is done by the perpetrator of the evils, and he shall be subject to the same penalty[144](c. 71 Basil the Great).[145]

If a nun has heard from others about an adultery or rape of children and does not report the sin to the superior, she will incur the same penalty as the perpetrator (c. 38 John the Faster).

If a clergyman is excommunicated and enters another jurisdiction by hiding his excommunication, his time of excommunication will be lengthened (c. 13 Ap).

***HIEROSYLIA* (SACRILEGE):** *Hierosylia*, or sacrilege, refers to the theft or desecration of holy things.

If any clergyman or layperson takes away candles or oil from the holy Church, let him be excommunicated, and let him restore a fifth part more than he took (c. 72 Ap).

Let no one use any vessel of gold or silver or any veil that has been sanctified, for it is contrary to law; if anyone is found to do so, let him be excommunicated (c. 73 Ap).

It is a sacrilege to degrade a bishop to the rank of presbyter; if he is found guilty, he should not be even a presbyter. But if he is displaced without any charge, he should be restored to his episcopal dignity (c. 29 IV).

It is forbidden to hold *agapae*, or love feasts (parties), in the Lord's houses, nor to eat and spread couches; if anyone dares to do so, let him be cut off (c. 74 VI).

144. A cursory reading of c. 71 of St. Basil the Great may lead one to believe that the canon applies to both laypeople and clergy, but as the previous canon (c. 70) refers to deacons and priests and these canons were extracted from the same third Letter of St. Basil, this fact leads one to believe that the canon refers to clergy.

145. Basically, the one who helps and the one who hides the sin of a perpetrator will be punished with the same epitimia as the perpetrator.

It is not right to place within the sacred bounds an eating place, nor to offer food there, nor to make other sales; anyone who does so should be cut off (c. 72 VI).

No one is allowed to drive any beast into a church unless the greatest necessity compels it; a clergyman who dares to do so should be deposed; a layperson should be excommunicated (c. 88 VI).

The figure of the cross is entitled to veneration and consequently may not be displayed on floors, where it would be desecrated by trampling under the feet of those who walk over it; therefore, those who from this time represent on the pavement the sign of the cross are to be cut off (c. 73 VI).

If a clergyman who steals chalices and patens, tablecloths, vestments, or any sanctified utensil from the altar is to be excommunicated (as Gregory the Theologian required), those who steal them and give them a domestic use or a sacrilegious use are to be deposed (c. 10 Constantinople I–II).

The Fathers have been too gentle in condemning only robbery, grave-digging, and sacrilege; there are other sins, like usury and oppression, that need to be added (c. 6 Gregory of Nyssa).

Under Old Testament law, stealing the sanctified utensils dedicated to God was seen as equal with murder, anyone caught doing this was killed by stoning; nowadays, stealing and sacrilege are canonized with less time than adultery (c. 8 Gregory of Nyssa).

A layman who serves as a priest without having been ordained commits a greater sin than heathenism, "for even Satan disguises himself as an angel of light" (2 Cor. 11:14); he will receive double punishment: one for blasphemy (as he does not have the grace of ordination) and another for cheating those for whom he performed sacraments and blessings. Those sacraments and blessings are not valid, as one who does not himself possess the gift may not impart gifts to other people (Symeon of Thessalonika, IX.10–13). Again, a layman or monk who puts on vestments and acts as a deacon or a priest, without being ordained, is to be canonized, as no one snatches the sacerdotal dignity for himself (AC 8.46).

HIERURGIES/SACRAMENTALS/BLESSINGS: Hierurgies are blessings, closely related to the sacraments, by which the needs of the body and soul are sanctified and blessed.[146] Some hierurgies are quite developed (such as the consecration of a church), others can be as simple as a prayer (such as a blessing of food). The hierurgies are performed by ordained clergy through the invocation of God in one or in all three persons of the Trinity.

Hierurgies can be grouped into those related to sacraments (e.g., blessing of the oil in the sacrament of baptism), those concerning important moments in the life of the faithful (e.g., commemoration of the dead), and those related to nature and the environment (e.g., blessing of the crops).

Among the most important hierurgies are the consecration of holy myrrh, the consecration of antimensia, the consecration of churches, the funeral, and tonsuring into monasticism. The hierurgies can be found in the priest's service book (*Mikron euchologion* or *Euchologion to mega*), Trebnik, and the *Liturgikon*, among others.

The Armenians used only wine in the preparation of Holy Communion, while the Aquarians used only water. The Scriptures, Apostolic Tradition, and the Fathers—such as James the Brother of the Lord and Basil, Bishop of Caesarea—"delivered to us directions for the mystical sacrifice in writing, declaring that the holy chalice is consecrated in the Divine Liturgy with water and wine" (c. 32 VI).

See also CONSECRATION (OF ANTEMENSIA); CONSECRATION (OF CHURCHES); CONSECRATION (OF HOLY MYRRH); FUNERAL; TONSURE (INTO MONASTICISM).

HIRING: Hiring other people's possessions, making contracts pertaining to secular affairs, or managing others' properties are forbidden to clergymen and monks; those who transgress this decree should be subjected to ecclesiastical penalties (c. 3 IV).

HOLY GIFTS: See OBLATION, COMMUNIUON/EUCHARIST.

HOLY SCRIPTURE: Holy Scripture is the book of God's revelation to his people, comprising books of the Old Testament and of the New

146. The word *hierurgy* comes from the Greek ιερουργία and means "holy work, or worship of God," *sacris operare, sacras res tractare*—the performance of holy or sacrificial ministry. The word was used in the Old and New Testaments (most notably in Rom. 15:16) and by many Fathers of the Church.

Testament (c. 85 Ap; c. 60 Laodicea; c. 24 Carthage; c. 2 Athanasios the Great; c. 1 Amphilochios of Seleucus[147]).

A candidate for bishopric must know the sacred canons, the Holy Gospel, and the book of the divine Apostle [i.e. Epistles of St. Paul], and all other divine Scripture (c. 2 VII).

Read the books of the law, of the kings, with the prophets; sing the hymns of David, and peruse diligently the Gospel, which is as the completion of the other. Abstain from all heathen books (AC 1.5–6).

If anyone reads publicly in church the falsely inscribed books of impious men as if they were Holy Scripture, to the destruction of the people and clergy, let him be deposed (c. 60 Ap).

The following must not be publicly read in church: histories of the martyrs that have been falsely put together by the enemies of the truth. Such books should be given to the flames. But those who accept them or apply their mind to them as true should be anathematized (c. 63 VI).

It is unlawful for anyone to corrupt or cut up a book of the Old or New Testaments or of our Fathers, or to give them up to the traders in books, or to hand it over for destruction to any other similar people; such books may be disposed of only if they have become useless because of bookworms or water or in some other way. He who does not observe this rule should be excommunicated for one year (c. 68 VI). Besides the Holy Scripture, nothing else should be read in church under the name of the divine Scriptures; the list of canonical Scriptures is provided (c. 24 Carthage). An exception to the previous rule is the lives of the martyrs, which may be read when their anniversary days are celebrated (c. 46 Carthage).

Heretics quote apocryphal writings, and to avoid confusion the canon, which Christians believe to be divine, is provided (the list of books follows; c. 2 Athanasios the Great).

147. The canons mentioned above do not list the canonical books of the Bible, but actually recommends lists of books for reading, thus avoiding the apocryphal books. While some of the early lists omit Revelation, others include books which were found profitable for reading but were not included in the canon (as the books of the Maccabeans, the Wisdom of Jesus the son of Sirach [Ecclesiasticus] and the *Apostolic Constitutions*).

Are those who hear the Word (i.e., Holy Scripture) and do it not, damned? Yes, if they neither do it nor repent that they have not done it (c. 17 Timothy of Alexandria).

Know that not every book that is called Scripture is to be received as a safe guide. For some are tolerably sound, and others are more than doubtful. A list of the books is provided (c. 1 Amphilochios of Seleucus).

Let no other books seduce your mind, for many malignant writings have been disseminated. A list of canonical books follows (c. 1 Gregory of Nazianzus).

Christians should not receive the Revelation of Paul, as well as forty other apocryphal books, which talk about thunder, the moon, and divination, all of them being unclean (c. 40 Nicephorus the Confessor). Christians should not receive the Revelation of Esdras and Zosimas and the martyrologies of St. George and of Kyriakos and Julia, neither the books of Mark and Diadoh, because all of them are polluted (c. 41 Nicephorus the Confessor).

HOLY THURSDAY: Thursday of Holy Week. See MAUNDY THURSDAY.

HOLY SATURDAY: Saturday of Holy Week. This is the only Saturday on which fasting is permitted. The Sabbath (with exception of Holy Saturday) and the Lord's day (Sunday) are to be observed as festival days (AC 7.23).

A clergyman who fasts strictly on Saturdays or Sundays (with exception of the Holy Saturday) should be deposed from the office; a layperson who does so should be excommunicated (c. 66 Ap; 55 VI). For the same, c. 18 Gangra canonizes with anathema.

On Holy Saturday the fast must continue until midnight, until after the Resurrection (c. 89 VI; c. 1 Dionysios of Alexandria).

HOLY WEEK: The week preceding the Sunday of Easter (Pascha) is called Holy Week.

The Sixth Ecumenical Council decreed that the apostolic and patristic tradition should be followed, establishing that it is not right to break the fast on Holy Thursday of the last week of Great Lent and thus dishonor the entire fast (c. 29 VI).

The fast of Holy Week should be continued until after midnight on the Saturday of the Resurrection, as the Evangelists Matthew and

Luke have shown that the Resurrection took place "after the Sabbath" (Matt. 28:1) or "at early dawn" (Luke 24:1; c. 89 VI).

Weddings may not be celebrated during Great Lent, Holy Week, and other somber feast days (c. 52 Laodicea).[148]

HOMICIDE: See MURDER (KILLING).

HOMOSEXUALITY: Homosexuality refers to the practice of homosexual acts [i.e. sexual relations] between individuals of the same sex (nowadays, the word may refer to relations between men or between women; lesbianism refers to relations between women).

For homosexuality, Gregory of Nyssa (c. 4) prescribed eighteen years of excommunication; Basil the Great (c. 62) prescribed fifteen years of excommunication. John the Faster, through *economia* and other associated penances (crying, fasting, eating dry food once a day, performing two hundred prostrations) imposed three years of excommunication; lack of zeal in *epitimia*, however, would bring the penance back to fifteen years of excommunication (c. 29 John the Faster).

The Fathers of the Church saw homosexuality as the worst kind of sodomy; see additional related entries under SODOMY, and see 'EXCURSUS ON THE BYZANTINE IMPERIAL LEGISLATION CONCERNING HOMOSEXUALITY' in the Appendix.

HONEY: Honey may not be offered at the altar; a clergyman who disregards this rule should be deposed (c. 3 Ap). For Holy Communion nothing should be offered other than "that which the Lord ordained, that is to say, bread and wine mixed with water"; the firstfruits—such as grapes, corn, honey, and milk—should be received, but they should be blessed with their own benediction, separately from the sacraments of the Lord (c. 37 Carthage).

Honey and milk may not be used in the preparation of Holy Communion (c. 57 VI).

HOSPITALITY: Hospitality to foreign clergyman is commended; however, they must bear commendatory letters and be examined if they want to be received (c. 3 Ap). Hospitality is to be provided at the expense of the church (c. 41 Ap; c. 25 Antioch).

148. In its annual *Yearbook*, the Greek Orthodox Archdiocese publishes a section called "Pastoral Guidelines," which lists all the days on which marriage in the Church is prohibited.

HOUSE, PRIVATE: Communicants are not allowed to join in prayer with an excommunicated person, even in a private house; whoever disregards this rule should be excommunicated (c. 10 Ap; c. 2 Antioch).

Nobody is allowed to teach (i.e., catechize) unbelievers in a church or in a private house unless they have been promoted to that office by the bishop (c. 26 Laodicea).

The oblation must not be made by bishops or priests in private houses (c. 58 Laodicea).

Neither clerics nor those who have professed virginity should enter the houses of the widows or virgins without the approval of bishops or presbyters. If they must enter, they are to be accompanied by other clergy; not even bishops or presbyters shall go alone into their houses (c. 38 Carthage).

Women ought not to live in bishops' houses or in the monasteries of men. If this takes place, the bishop or the abbot should be penanced; if they persist, they should be deposed (c. 18 VII).

Liturgical prayer and baptism may not be done in *parakleses* or private houses without the approval of the bishop; the clergy conducting such services should be deposed, and those who received communion should be excommunicated (c. 12 Constantinople I–II).

HOSTELS: A clergyman transferred from one church to another is not allowed to meddle with the affairs of his former church, nor with the martyries, almshouses, and hostels belonging to it (c. 10 IV).[149]

HUMILITY: Continence, accompanied by humility and gravity, is commended (c. 21 Gangra).

Whoever interprets the saying of St. John the Divine, "If we shall say that we have no sin, we deceive ourselves" as not really true but spoken out of humility, let him be anathema (c. 114 Carthage).

Whoever expounds "forgive us our trespasses" from the Lord's Prayer as speaking only of the multitude and not of individuals, out of humility and not in truth, let him be anathema (c. 115, 116 Carthage).

149. A hostel (Gk. ξενοδοχείον) was not only an inn where travelers used to rest but also a place for those who needed assistance on account of illness. It was modeled after the Basiliad of Caesarea, founded by Basil.

Fasting is useful for both monks and laypeople and must be done with measure and humility; through fasting one shows love for God (Symeon of Thessalonika, IX.56).

HUSBAND: A clergyman is supposed to be above reproach, a husband of one wife, who gives himself fully to God (1 Tim. 3:2, 12; Titus 1:6).

A woman who forsakes her husband and resolves to depart from him because she abhors marriage should be anathema (c. 14 Gangra).

A woman who marries the brother of a deceased husband is to be cast out (i.e., excommunicated) till her death; nevertheless, at the hour of death she may be received to penance, provided she declares that she will end the marriage if she recovers (c. 2 Neocaesarea).

The husband of an adulteress may not be ordained (c. 8 Neocaesarea).

A deaconess who has been ordained and who after some time of ministry decides to marry should be anathematized, along with her husband (c. 15 IV).

The wife of him who is advanced to the episcopal dignity shall be separated from her husband by their mutual consent, and after his ordination and consecration to the episcopate, she shall enter a monastery situated at a distance from the abode of the bishop; there let her enjoy the bishop's provision. And if she is deemed worthy, she may be advanced to the dignity of a deaconess (c. 48 VI).

Women are not permitted to speak at the time of the Divine Liturgy; "but if they wish to learn anything let them ask their own husbands at home (1 Cor. 14:34; c. 70 VI).

She who goes from her husband to another man is an adulteress, and he who goes from his wife to another woman is an adulterer according to the word of the Lord; they should receive seven years of penance according to the degrees (c. 87 VI).

If the wife of a man who disappeared cohabits with another before she is assured of the death of her husband, she commits adultery; the same for the wife of a missing soldier, though here the circumstances offer some excuse. If a soldier returns after a long time and finds his wife married to another man, if he so wishes he may take her back, pardon being extended to her and to the second husband (c. 93 VI).

A virtuous wife is the crown of her husband; many other counsels concerning a Christian wife are recorded in the *Apostolic Constitutions* (AC 1.8–10).

A widow, being at her own discretion, may marry to whom she will: "a wife is bound to her husband as long as he lives. If the husband dies, she is to be married to whom she wishes, only in the Lord" (1 Cor. 7:39; c. 41 Basil the Great).

A woman abandoned by her husband without grounds for fornication may not marry another man, as he is causing her to commit adultery; and if she dares to remarry, she should be penanced as an adulteress (c. 48 Basil the Great).[150]

A husband may not marry his mother-in-law or his step-daughter (c. 87 Basil the Great).

Husband and wife should forgo the conjugal act on Saturdays and on Sundays, for on those days the spiritual sacrifice is offered to the Lord (c. 13 Timothy of Alexandria).

Husband and wife should decide together when they should distance from one another to devote time to prayer and when to come together, as the Apostle Paul taught (1 Cor. 7:5; c. 3 St. Dionysios of Alexandria).

If the wife of a priest (presbytera) or of a deacon (diakonissa) commits adultery, she is penanced with three years of excommunication, dry food, and three hundred prostrations daily; she is more severely penanced than other women because she causes the deposition of her husband. If the clergyman wants to keep her as wife, he should be defrocked; if he wants to keep his priesthood, he should divorce her (c. 62 John the Faster).

A widow is not ordained; yet if she lost her husband a great while ago, has lived soberly and blamelessly, and has taken extraordinary care of her family, let her be chosen for the order of widows. But if she has lately lost her husband, let her not be believed; let her youth be judged by time (AC 8.25).

A widowed presbytera who cannot stay in widowhood and is willing to marry a second time should be allowed to do it (EL 1629).

A widow should mourn her husband and not remarry for at least one year from the time of her husband's death; if she marries sooner and becomes pregnant, the paternity of the child might be in doubt.

150. This is Basil's opinion, based on Matthew 5:32. See also c. 87, 93 Basil the Great concerning those who abandon their spouses.

One who does not mourn her deceased husband one year should be admonished and canonized (EL 2025).

HYEMANTES: Those who defile themselves with beasts, being spiritually leprous and infecting others, are to pray among the *hyemantes* (c. 17 Ancyra). *Hyemantes* were penitents of the lowest degree, those who had committed horrible crimes and consequently were not allowed to enter the church; rather, they were required to stay outside, sometimes in inclement weather.

ICON: An icon is not a object of piety or a decoration, but in the same way as the liturgy, it is an expression of the Orthodox faith. Icons are images of God as people might see him through revelation (Isa. 6:1–5; Dan. 7, 9; John 14:8–10), of the angels (Exod. 26:1, 26:31; 1 Kings 6:23), of Jesus Christ, of the Theotokos, of the holy apostles, of all the saints who lived on earth and were glorified (Gen. 15:6; Eph. 2:19; Heb. 12:22; Rev. 5:8–14), and of the martyrs who were perfected in faith in the triumphant Church (Rev. 22:11–14).

The figure of the cross, which is venerated, should not be placed on the floor of the churches so that the cross—the sign of victory—should not be desecrated by the trampling underfoot of those who walk on it; those who disregard this decree should be cut off (c. 73 VI).

Since some iconographers depicted Christ as a sheep and lamb, with the Forerunner pointing to him and saying, "Behold the Lamb of God who taketh away the sin of the world." The present canon commands that in the future this shall not be done; instead, Christ himself shall be painted as a full-grown man, with respect to his human character (c. 82 VI).

"We order that there shall in no way be made pictures, whether thay are in paintings or in any what way so ever, which attract the eye and corrupt the mind, and incite it to the enkindling of base pleasures. And if anyone shall attempt to do this he is to be cut off" (c. 100 VI).[151]

"We define the rule with all accuracy and diligence, in a manner not unlike that befitting the shape of the precious and vivifying Cross, that the venerable and holy icons, painted or mosaic, or made of any other suitable material, be placed in the holy churches

151. C. 100 VI condemns not only improper icons but also any licentious pictures or representations in any art.

of God upon sacred vessels and vestments, walls and panels, houses and streets, both of our Lord and God and Savior Jesus Christ, and our intemerate Lady the holy Theotoke, and also of the precious Angels, and of all the Saints. For the more frequently and oftener they are continually seen in pictorial representation, the more those beholding are reminded and led to visualize anew the memory of the originals which they represent and for whom moreover they also beget a yearning in the soul of the persons beholding the icons."[152]

The heretics took out of the churches the venerable images; so likewise, they cast aside other customs that must now be revived and maintained in accordance with the written and unwritten law (c. 7 VII).

IDOLATRY: People who leave the Church of God and go away and invoke angels and gather in assemblies engage themselves in idolatry and should be pronounced anathema (c. 35 Laodicea).[153]

The bishops gathered in Carthage thought that it seemed good to petition the most glorious emperors that the remains of idolatry not only in images, but in any places whatever or groves or trees, should altogether be taken away (c. 84 Carthage).

IDOLS: Meat that was offered to idols may not be eaten by communicants (c. 2 Gangra).

Presbyters who offered sacrifices to the idols and afterward returned to the true faith should be allowed to keep their seat and honor but not to perform any sacerdotal function (c. 1 Ancyra).

Deacons who offered sacrifices to the idols and then returned to the true faith should keep their rank and honor but not be allowed to perform liturgical functions; however, if the bishop notices eagerness in fulfilling the duty and humbleness in behavior, he may grant indulgence and restore the deacon to his previous authority (*economia*) (c. 2 Ancyra).

152. Fragment of the *Acts of the Seventh Ecumenical Council*, quoted in *Rudder*, 413–416.

153. This canon refers to a heresy among the people in Phrygia and Pisidia, who on the basis of piety praised not Jesus Christ but rather the angels. Moreover, they believed that angels should be offered praise because the law had been given through them. Theodoret mentioned that this superstition lasted for a long time, and in his condemnation he used St. Paul's text from Colossians 2:18. The Synod of Laodicea (c. 35) struck a blow to the heresy.

The error of believing in idols is still flourishing in some remote parts of Africa, and that is why the most religious emperors should be asked[154] to order the destruction of remaining idols (c. 58 Carthage).

ILLNESS: Illness is an excuse for a bishop who does not attend the provincial synod (c. 19 IV).

Bishops must attend and either teach or be taught for the reformation (i.e., the betterment) of the Church and of others; however, they should be not guilty of contempt by being absent without an excuse of illness (c. 40 Laodicea).

The votes of bishops at the election of a bishop may be in writing if personal attendance is difficult because of illness or distance (c. 4 I; c. 19 Antioch).

IMMERSION: The sacrament of baptism should be done by trine immersion, in the name of the Father, and of the Son, and of the Holy Spirit; those who perform only one immersion should be deposed (c. 50 Ap).

The baptism of the Eunomians by one immersion is void (c. 7 II).

The teaching about the triple immersion in water of the candidate to baptism and the three renunciations of Satan came from Holy Tradition (c. 92 Basil the Great).

IMPEDIMENTS TO MARRIAGE: Among the most important impediments to marriage Canon Law lists the following:

- Mental alienation[155] [possession] (c. 2, 3, 4 Timothy of Alexandria). These canons refer to baptism, but they can be extended to marriage, also.

154. In c. 58 and the six following canons, the bishops gathered in Carthage empowered their delegates to ask the Emperors Arcadius and Honorius to issue laws concerning: destruction of the pagan temples (c. 58), restoration of the Episcopal privilege of judging civil causes (c. 59), banning the pagan love feasts (c. 60), banning public spectacles on Sundays and on Christian feast days (c. 61), sanctioning the defenders of those punished by the Church (c. 62), interdiction to act in plays or spectacles of the baptized actors (c. 63) and the publication of the slaves manumissions [solemn setting at liberty by their masters] in the churches belonging to the province of Africa (c. 64).

155. The canons of St. Timothy of Alexandria talk about *possession* as impediment to baptism. Concerning marriage, the Protocols of the last two Archbishops of America, Iakovos (Protocol No. 56, November 22, 1993) and Demetrios (Protocol No. 6, April 14, 2011) are shy of using the word possession, as possession is very difficult to understand and interpret; instead, the Protocols use insanity (no. 3 in the list) and mental illness

- Lack of consent from the parties (groom and bride); in premodern times, consent was needed from the father or of the master when the parties were under another's authority—for example, minors under the *paterfamilias* and slaves under their masters (c. 38, 40, 42 Basil the Great).[156]
- An already existing legal marriage (c. 87, 93 VI; c. 46, 77, 80 Basil the Great).
- Ordination; a person who is already ordained may not enter into marriage (c. 26 Ap; c. 6, 13 VI; c. 1 Neocaesarea).
- The vow of chastity (c. 16 IV; c. 44 VI; c. 19 Ancyra; c. 6, 18 Basil the Great).
- Elopement; if a clergyman elopes with [forcibly carries off] a woman in order to marry her, he should be expelled from the Church; if a layperson does so, he or she should be anathema (c. 27 IV; c. 92 VI; c. 22, 30 Basil the Great).
- Betrothal; marriage with a person betrothed to another is not allowed (c. 98 VI; c. 22 John the Faster).
- Blood kinship (i.e., consanguinity); kinship up to the fourth degree (first cousins) is an impediment to marriage (c. 54 VI); likewise, marriage between a nephew and his aunt is banned (c. 11 Timothy of Alexandria). In-laws up to the fourth degree may not marry: father and son with mother and daughter (second degree); father and son with two sisters or mother and daughter with two brothers (third degree); two brothers with two sisters (fourth degree). A marriage between relatives up to the fourth degree (blood as well as in-law relations) must be dissolved, and those guilty should be canonized for seven years (c. 54 VI). A woman who marries two brothers is cast out of communion until her death (c. 2 Neocaesarea). A man who has married his brother's wife is not admitted to communion until he dismisses her (c. 23 Basil the Great). One who marries the sister of his first wife should be treated as an adulterer (c. 78, 87 Basil the Great; c. 11 Timothy of Alexandria). A son may not take as wife the concubine of his father, and the father may not take as wife the

respectively (no. 5 in the list) as acceptable reasons for ecclesiastical divorce in the Greek Orthodox Archdiocese of America.

156. See Justinian, *Digest* 8.1:11–13, 2, 9. The marriage is legal only with a father's consent, for both the man and the woman are under auctoritas [authority of *pater familias*].

concubine of his son (c. 87 Basil the Great). A husband may not marry his mother-in- law or his stepdaughter (c. 87 Basil the Great).

- Spiritual kinship (affinity) up to the second degree; godfather and the widowed mother of the godson may not marry (c. 53 VI).
- Difference of religion; marriage with heretics is banned (c. 14 IV; c. 72 VI; c. 23 John the Faster).
- One who enters into marriage with a person who is his relative within the kinship relations considered impediments for marriage should be treated as an adulterer (c. 68 Basil the Great).
- A clergyman is not allowed to conduct a marriage to which there are canonical impediments (c. 11 Timothy of Alexandria).
- Those who enter through ignorance into a marriage afflicted by impediments should be treated with leniency (c. 26 VI; c. 27 Basil the Great; c. 13 Theophilos of Alexandria).

IMPOSITION (LAYING ON) OF HANDS: The imposition or laying on of hands is part of the sacrament of ordination and of other sacraments in which prior forgiveness of sins is paramount.[157] See also ORDINATION.

Paulianist deaconesses who have been led astray, since they are not sharers of ordination and since they have not received the imposition of hands, are to be received as laity (c. 19 I).

When the offense of any penitent has become publicly and commonly known so as to have scandalized the whole Church, he shall receive forgiveness and absolution by the imposition of hands publicly, in the front of church's doors (c. 43 Carthage).

Children baptized by the Donatists who mature and come to the catholic Church after the anathematization of their heresies may come to ordination through chrismation and imposition of hands without being rebaptized, as the Apostle said, "One Lord, one faith, one baptism" (Eph. 4:5; c. 57 Carthage).

Those who are to be baptized will receive the ointment (i.e., holy myrrh), that "he died with Christ he may rise and live with Him.

157. The imposition or laying on of hands is generally understood as part of the sacrament of ordination. In the early Church, the imposition of hands was also performed as a confirmation of forgiveness of sins bestowed by the bishop on the candidates to baptism, chrismation, and confession.

Let him say these and the like things, for this is the efficacy of the laying of the hands on everyone" (AC 7.44).

"For ye know undoubtedly that those that are by us named bishops, and presbyters and deacons, were made by prayer and by the laying of the hands" (AC 8.46).

IN ABSENTIA: If a clergyman is summoned to the ecclesiastical court and refuses to come, he will be judged *in absentia* (c. 74 Ap; c. 19, 77 Carthage).

INCARNATION, THE: It is unlawful for any man to bring forward a profession (symbol) of faith different than the one issued at Nicaea in 325. In addition, those who hold or teach doctrines shown as heretic in the exposition introduced by the presbyter Charisius concerning the incarnation of the Only Begotten Son of God should be subject to severe ecclesiastical penalties: bishops should be removed from their bishopric and degraded, clergymen should be stricken from the clergy, and laypeople should be anathematized (c. 7 III).[158]

INCENSE: The bishop or the presbyter must offer at the altar only those things that the Lord ordained for the sacrifice; at the time of the holy oblation, he may receive only oil for the lamps and incense (c. 3 Ap).

Worship "must be paid in the way suggested by the form of the precious and vivifying Cross, and the holy Gospels, and the rest of the sacred institutions, and the offering of wafts of incense, and the display of beams of light, to be done for the purpose of honoring them" (*Rudder*, 416).

INCEST: Incest is the sin or crime related to intercourse between people related by blood (consanguinity) or by spiritual relations (affinity) in the degrees prohibited by the Church.[159]

158. This canon refers to the heretic teachings developed by Theodore of Mopsuestia.

159. "Whoever has sexual intercourse with another nearer to kin to the actor [person accused of criminal sexual act] than first cousin, computed by the rules of the civil law, whether of the half or the whole blood, with knowledge of the relationship, is guilty of incest and may be sentenced for no more than ten years." (See Minnesota Statutes 2006. Chapter 609, Crimes, Criminals, 609.365INCEST). This workable definition lacks in precision and brevity in comparison with one found in Roman Law quoted by Abbe Andre: *Incestus est copula carnalis consanguineorum vel affinium intra gradus prohibitos* (Incest is the sexual relations between individuals who are in prohibited degrees of parentage of consanguinity as well as of affinity). (See Abbé André, *Cours alphabetique*

Some theologians agreed that between the spiritual fathers and mothers and their spiritual children sexual relationships should not exist, and they wondered whether breaking this rule resulted in spiritual incest. The practice of the Church did not go so far.

As nowadays the sense of the word *incest* is used to refer to sexual relationships between very close relatives (which do not necessarily match those forbidden by the Church) those cases are treated under the headings FORNICATION rather than INCEST. See FORNICATION, WITH BLOOD RELATIVES and FORNICATION, WITH SPIRITUAL RELATIVES.

INCOME OF THE CHURCH: See PROPERTY (GOODS) OF THE CHURCH.

INDULGENCE[160]: Provincial synods may grant indulgence to individuals under the sentence of excommunication (c. 5 I).

Bishops may grant indulgence to monks and dedicated virgins who have been excommunicated for marrying (c. 16 IV).

Bishops may grant indulgence to the lapsed (c. 12 I; c. 2, 5, 7 Ancyra).

Bishops may grant indulgence to individuals who are under penance for bestial lust (c. 16 Ancyra).

Bishops may grant indulgence to those who contract many marriages (c. 3 Neocaesarea).

A bishop may, if necessary, take away an indulgence already granted to lapsed deacons who have been restored to their honor (c. 2 Ancyra).

et methodique du droit canon, vol. 1 (Paris: Ateliers Catholique du Petit-Mountrouge, 1844), 238). The degrees of parentage (both consanguinity and affinity) prohibited by the Church were taken into consideration by the Byzantine state and included in its secular law. Nowadays, the prohibited degree of parentage upheld by the Church differs from that mandated by the state. For example, marriage between first cousins is prohibited by the Church but allowed in some states in the United States of America. Moreover, the affinity parentage is not taken into consideration at all in the issuing of civil licenses for marriage.

160. Indulgence is an institution of Orthodox Canon Law by which the provincial synod, after careful investigation, may reduce the *epitimia* given to an individual by his bishop. The institution works in the same way as economia, with the difference that the indulgence is granted by a superior authority, while economia is applied by the giver of epitimia. Being so similar to economia, sometimes instead of the term economia, the canons use the term indulgence.

A bishop may grant indulgence to those who endured violence and were seen to have resisted, but afterward yielded to weakness, or lapsed, for which they were penanced with ten years of excommunication; if they show zeal in the performance of the penance, the bishop should treat them more leniently, but if they are cold and indifferent, the full extent of the penance should be required (c. 12 I).

It is not lawful for a virgin who has dedicated herself to the Lord to marry; if she is found to have done this, she should be excommunicated, but the bishop will have the power of indulgence toward her (c. 16 IV). See also *ECONOMIA*.

INFIRM: Clergy and laity are forbidden to mock the infirm; if they do so, they should be excommunicated (c. 57 Ap).

Weakness and bodily infirmity are sufficient causes for receiving dispensation from the fasts of the Church (c. 69 Ap; c. 19 Gangra).

INHERITANCE: The right to a see may not be acquired by inheritance; if anyone attempts to gain a see in this way, the ordination shall be void, and the ordainer should be punished with excommunication (c. 76 Ap).

A bishop who leaves his inheritance to heretics or heathens should be pronounced anathema (c. 81 Carthage).

INITIATION: See BAPTISM.

INN: Clergymen are not allowed to eat in a tavern unless constrained by necessity during a journey to lodge at an inn (c. 54 Ap).

INNOVATION: Those who introduce novelties contrary to the Scriptures and ecclesiastical canons are to be rebuked; all things should be done in the Church according to the Holy Scriptures and Apostolic Tradition (c. 21 Gangra; c. 7, 8 III; c. 2, 32 VI).[161] Among those innovations, those related to sacraments and hierurgies are most concerning.[162] See also CUSTOM; TRADITION.

161. In some collections, c. 21 Gangra appears as an epilogue (see NPNF 2.14: 101).

162. These innovations are personal inventions and improvisations generated by clergymen's ignorance, by breaking the rules of the Typikon, or by mysticism. Among the wrong practices mentioned below, I observed some of them during my travels to various countries; others I have read about:

1. The sacrament of baptism: (a) Baptism of aborted or miscarried children. The *Priest's Service Book* (*Mikron euchologion*) offers a short prayer service for a woman who

INSTRUCTION: Those who convert from heathenism to Orthodoxy should be instructed and obliged to spend some time in the Church and to hear the Scriptures before receiving baptism (c. 7 II).

Some classes of reconciled heretics should also be instructed before they are received (c. 7 II; c. 7, 8 Laodicea).

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has experienced a miscarriage, but some priests give in to the pressure of families and celebrate a baptism on January 7th. If the Church does not permit a funeral for an aborted or miscarried child how, then, can it permit a baptism? Moreover, the canonical tradition does not allow a clergyman to give Holy Communion to the deceased or to perform baptism of the dead.

(b) Baptism of adults or grown children in a bassinet or kiddie pool or by pouring baptismal water on their heads with a pitcher; the priest vested only with the epitrachelion; allowing godparents who are not Orthodox or who are closely related (consanguinity or affinity) to the baptized.

2. The sacrament of confession: there are many deviations from the prescribed order and administration of the sacrament of confession, among them the following: (a) confessions done by priests who are not yet confessors; (b) confessions heard in the priest's office or study and without the epitrachelion; (c) nonauricular confessions (confessions from a distance through phone or e-mail); (d) confessees' being accepted without the confessor's learning who the previous father-confessor was and why the confessee is suddenly in need of another confessor; (e) release from the *epitimia* prescribed by another confessor; (f) reading the formula of forgiveness (absolution) at the end of confession and not after the confessee has completed his or her *epitimia*.

3. The sacrament of holy unction: this sacrament imparts the grace of God on those present and anointed with the blessed oil. Innovations include (a) the participants' in many places demanding cotton doused with blessed oil for their relatives and friends, who may not be Orthodox; (b) irregular discarding of this cotton (in the trash instead of by burning); (c) during the sacrament, after the seventh Gospel, Epistle, and prayer, the presiding priest takes the Book of the Gospel, hold it for the sick to venerate it, and then opens the book face down over the head of the sick. In some places, the priest allows the sick to open the Gospel Book, leading to strange interpretations as to the outcome of the sickness (if the pages show some vignette in red, he or she will be healed; if they are in black, he or she will continue to suffer). Moreover, some of people now demand that "the opening of the book" over their heads should be done outside the service of holy unction. Such practice replaces the Church's outpouring of grace with a superstition.

4. The sacrament of marriage: innovations include (a) the priest's conducting the sacrament vested only with the epitrachelion; (b) allowing godparents (Gk. *koumbaroi*) who are not Orthodox or who are closely related (by consanguinity or affinity) to the newlyweds.

5. In hierurgies or sacramentals, the following are innovations: (a) at the end of the funeral service, the priest's pouring over the body not only oil and sand but also holy water; (b) the exhumation of the body after seven years as a regular practice rather than a response to extreme necessity (in order to bury somebody else in the same tomb); (c) when churching mother and child, some priests deviate from the rule of taking only boys in to the altar and take both boys and girls in or take neither in.

INSULT: If any clergyman insults a presbyter or a deacon, he should be excommunicated (c. 56 Ap).

A clergyman who insults the civil authority or its leaders should be deposed; a layperson who does the same should be excommunicated (c. 84 Ap).

One who is accused of a crime may not bring accusation against his bishop (c. 8 Carthage).

Those who are living a virgin life for the Lord's sake are not allowed to insult the married; if they do so, let them be anathema (c. 10 Gangra).

Clergymen should not be slanderers, drunkards, or ready to pick a fight (c. 89 Basil the Great).

If someone becomes a Christian and then insults or blasphemes Christ, then Christianity and the mercy of Christ shall have no bearing on him (c. 45 Basil the Great).

A clergyman who despises his bishop and builds another congregation and raises another altar should be deposed; a layperson who does the same should be excommunicated (c. 31 Ap; c. 5 Antioch; c. 10, 11 Carthage).

A clergyman who insults his bishop should be deposed (c. 55 Ap; c. 13 Constantinople I–II).

A bishop who insults his metropolitan should be excommunicated (c. 14 Constantinople I–II).

A priest who celebrates the Divine Liturgy but does not partake of Holy Communion, knowing that he is unworthy, should be suspended for three years as one who insults the Body and Blood of the Lord on the day on which he is unworthy (EL 1209).

INTERDICTION: A bishop is forbidden to close any of the venerable temples so that the service of God may not be celebrated in it; if he does this, he should receive the same punishment that he devised for the others[163] (c. 4 VII).

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163. Here we have an interesting application of *lex talionis* (eye for eye, tooth for tooth . . .), in the sense that whatever damage a bishop may cause to the church or people, the same damage will be inflicted upon him. In the case of closing temples [churches], "he who cuts off others thus, let him be cut off" (Part of Balsamon's commentary to c.4 VII , in NPNF 2.14: 558).

INTEREST (USURY): If a clergyman charges interest from those who borrow from him, he must give up doing so; otherwise, he should be deposed (c. 44 Ap; c. 17 I; c. 10 VI; c. 4 Laodicea; c. 5, 16 Carthage).

A person who charges interest may not become a clergyman (c. 14 Basil the Great).

An individual who charges interest and does not cease to do it should not receive Holy Communion (c. 32 Nicephorus the Confessor).

INTERVENTION: A bishop is expected to give assistance to one oppressed by someone else, or to a widow suffering injustice, or an orphan robbed of his estate, always provided that these people have just cause for petition (c. 7 Sardica; c. 75 Carthage).

A clergyman who intervenes for someone to be ordained through simony should be deposed; the layperson who does so should be pronounced anathema (c. 2 IV).

INVENTORY: Church goods should be recorded through an inventory so as to be clearly distinguished from those belonging to the clergy (c. 40 Ap; c. 24 Antioch).

The property of a monastery should be recorded into an inventory kept in the archives of the diocese (c. 1 Constantinople I–II).

INVESTIGATION: An investigation is to be made by the provincial synod into the accounts

of a bishop who is charged with dishonesty (c. 25 Antioch).

If someone makes an accusation of fornication to the address of a clergyman, an investigation must be conducted even when no credible witnesses appear. If he is guilty on the basis of worthy witnesses, he should be cut off the Church; otherwise, he is worthy to remain in his clerical position (c. 9 Theophilos of Alexandria).

INVITATION: Bishops are not allowed to act officially beyond their dioceses without written invitation from the local bishop or metropolitan; if someone dares to do so, things done by him are null, and he should be deposed by the holy synod (c. 2 II; c. 13 Antioch).

The invitation of a metropolitan to his provincial bishops to attend a provincial synod should be in writing (c. 19 Antioch).

Without an invitation, a bishop may not enter another eparchy and meddle in its church business (c. 35 Ap; c. 2 II; c. 20 VI; c. 18 Ancyra; c. 3, 11 Sardica; c. 13, 22 Antioch).

INVOCATION OF ANGELS: People who leave the Church of God and go away and invoke angels rather than Christ, gather in assemblies, and engage themselves in idolatry should be pronounced anathema (c. 35 Laodicea).[164]

INVOLUNTARY HOMICIDE: See MURDER (KILLING).

INVOLUNTARY NOCTURNAL EMMISIONS: A Christian who while sleeping had an involuntary seminal emission should be canonized with one day of excommunication, recitation of Psalm 50, and forty-nine prostrations (c. 8 John the Faster).

ITINERANT VISITORS: See VISITORS.

JERUSALEM: The Bishop of Jerusalem is entitled to the rank next to the Metropolitan of Caesarea (c. 7 I).

The Fathers declared that the throne of Constantinople shall enjoy equal seniorities, or priorities, with the throne of older Rome and that in ecclesiastical matters it shall be magnified like the latter, coming second after the latter, after which the throne of the great city of the Alexandrians shall come next, then that of Antioch, and after this the throne of the city of the Jerusalemites (c. 36 VI).

The Endemousa Synod of 1593 ratified the elevation of the Metropolis of Moscow to the status of patriarchate, to occupy the fifth position in the diptychs (after the Patriarchate of Jerusalem).

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164. People offered prayers to the angels as intermediaries to God. The Council of Laodicea never intended to prohibit the cult of angels, as some Protestant theologians have claimed, but rather the practice of giving names to the angels and worshipping them as God is worshiped. This and only this aspect was condemned by the Council of Laodicea, which acted because some heresies of the time, Arianism and Eunomianism, were confusing the created angel with the uncreated Person of the Angel of God, the Angel of the Great Council, the uncreated Logos, who is Christ. Arians and Eunomians tried to prove their point by saying that in the story of the encounter at the burning bush, when the Angel of God said, "I AM WHO I AM" (Exod. 3:14), he was not the Angel of God (Christ) but actually God himself by means of the created Logos-Angel, thus making Christ a creature rather than cocreator. St. Athanasios the Great argued against the Arians, stating that the designation angel is sometimes applied to the uncreated Logos and sometimes to a created angel. Thus Christ is the Logos-Angel who revealed God to the prophets of the Old Testament and who became incarnate in the New Testament. Some of these clarifications are based on Hefele, *Histoire*, 1.2:1017–1018; and Fr. John Romanides, *Jesus Christ: The Life of the World* (www.romanity.org/htm/rom.19.en.jesus_christ_the_life_of_the_world.01.htm).

JEWS: Communicants are not allowed to keep fasts with the Jews or to receive gifts from their festivals, including unleavened bread; clergymen who do so should be deposed, and laypeople who so do should be excommunicated (c. 70 Ap; c. 37, 38 Laodicea).

Clergymen are forbidden to celebrate Easter (Pascha) before the vernal equinox, at the time of the Jewish Passover; if they do so, let them be deposed (c. 7 Ap; c. 1 Antioch).

Readers and singers are not allowed to marry people who are heterodox. But if they are already married to a heretic or a Jew or a heathen and they have children of such marriage, they must bring them into communion with the Orthodox faith (c. 14 IV).

No clergyman or layperson is allowed to eat the unleavened bread of the Jews or to have familiar intercourse with them, nor are they allowed to call them when sick or to receive medicine from them or even to take baths with them. Whoever does such things will be punished: if a cleric, let him be deposed; if a layman, let him be cut off (c. 11 VI).

If a priest, through fear of men—whether Jew, heathen, or heretic—denies the name of Christ, let him be cast out. If he denies the name of a clergyman, let him be deposed. If he repents, let him be received as a layman (c. 62 Ap).

Clergymen and laypeople are not allowed to enter a synagogue of the Jews to pray; if they do so, let the former be deposed and the latter be excommunicated (c. 64 Ap).

Christians are not allowed to take oil into or light lamps in a synagogue of the Jews at their festivals; if they do so, let them be excommunicated (c. 71 Ap).

If any of the clergy, through fear of the Jews, denies the name of Christ, let him be cast out. If he denies the name of a clergyman, let him be deposed. If he repents, let him be excommunicated (c. 72 Ap).

If a single man or woman fornicates with a pagan, a Jew, a Muslim, or a heretic, he or she is penanced with three years of excommunication, eating dry food after the ninth hour and doing two hundred prostrations daily (c. 61 John the Faster).

Whoever gives release from fasting on Wednesdays and Fridays he, like the Jews, is crucifying Christ, because Wednesday Christ was betrayed and Friday he was crucified (EL 1552).

JOURNEY: See TRAVEL.

JUDAISERS: Christians who honor the Sabbath by resting rather than working on that day and do not honor the Lord's Day, resting as Christians, are found to be Judaisers and should be pronounced anathema from Christ (c. 29 Laodicea).

JUDGMENT: In the Church there are two types of judgment: an internal judgment, a result of sacramental confession, on which the confessee is judge himself while the confessor is the witness and intercessor to God; and an external judgment, on which the the judgment is according to the canonical prescriptions and imposed by the Church's authorities. *Ecclesiastical judgment* refers only to the second type of judgment.

Ecclesiastical judgment has its source in the commandment of the Lord (Matt. 18:15–17) in the apostolic exhortations (1 Cor. 2:14–15, 6:1–5; Titus 1:5–10) and continued in the teaching of the Holy Fathers concerning the canonical order of the Church (c.5 I; c. 6 II; c. 10, 15, 104 Carthage).

Clergymen and laypeople are required by the canons to bring to the ecclesiastical authorities of the Church their disagreements concerning tenets of faith and moral life; Church services, events, and administrative issues; exceptions and impediments to marriage and other sacraments and blessings (c. 32 Ap; c. 2, 5, 17 I; c. 9, 17, 21, 28 IV; c. 2 VI; c. 12, 14, 20, 62, 100 Carthage; c. 14 Sardica).

In accordance with Canon Law, the Church, through laws and regulations, had to establish at different administrative levels ecclesiastical courts, as well as the principles and regulations by which the courts function (c. 39, 40, 41 Ap; c. 4 IV; c. 25 Antioch).

External judgment may impose one or more successive penalties from the following categories:

1. Admonition (c. 31 Ap).
2. Correction (c. 19 IV; c. 25 Antioch; c. 13 Sardica).
3. Excommunication or suspension from Holy Communion for a period or until correction. For clergymen excommunication entails suspension from liturgical and sacramental duties without loss of clerical status (c. 5, 10, 31, 35, 65, 66, 84 Ap; c. 82 IV; c. 3, 55, 58, 64, 76 VI; c. 6, 101 Antioch; c. 14 Sardica; c. 133 Carthage; c. 27, 69 Basil the Great).
4. Defrocking or deposition (only for clergymen); the defrocked clergymen may be allowed to keep the title (c. 5, 8, 29, 36, 45,

54, 58, 73 Ap; c. 4 Constantinople I–II) or may not be allowed to keep it (c. 12, 16, 28, 30, 59, 64 Ap; c. 1, 86 VI; c. 1, 6 Antioch; c. 3, 88 Basil the Great).

5. Anathema, the most serious penalty, is prescribed for heretics, for those deposed permanently, and for those who refuse to repent (c. 1, 7 II; c. 5 VII; c. 1, 4, 6, 7, 8, 9, 10, 11, 14, 15, 16, 18 Gangra; c. 11, 81 Carthage).

It is the duty of the bishop to judge rightly, as it is written, "Judge righteous judgment," and to retain the unblameable, but either to heal or, if they be past cure, to cast off those who are blameworthy (AC 2.37).

"But he who does not consider these things will, contrary to justice, spare him who deserves punishment, as Saul spared Agag and Eli his sons, 'who knew not the Lord,' such a one profanes his own dignity . . . affording occasion of scandal to many of the newly baptized, and to the catechumens" (AC 2.10). See also ECCLESIASTICAL COURT; BISHOP, H. Trial of a bishop; PRESBYTER/PRIEST, G. Trial of a priest.

JUDGMENT, PRIVATE: If a clergyman exercises his own private judgment to the subversion of the people and the disturbance of the churches by observing Easter (Pascha) at the same time as the Jewish Passover, he shall be an alien from the Church, and all those who communicate with him should be deposed not only from the ministry but also from external honors (c. 1 Antioch).

JURISDICTION (GENERAL):

The Bishop of Alexandria has jurisdiction over Egypt, Libya, and Pentapolis (c. 6 I).

The jurisdiction of the Bishop of Rome is based on custom (c. 6 I).

The jurisdiction of the Bishop of Alexandria, the East, Asia, Pontus, and Thrace is confined to their dioceses; but the Churches of God in heathen nations (i.e., barbarian lands) must be governed according to the custom that has prevailed since the time of the Fathers (c. 2 II).

Let the Bishop of Constantinople have the priorities of honor after the Bishop of Rome, because of its being the New Rome (c. 3 II).

The Bishop of Antioch does not have jurisdiction over Cyprus, where he ordained clergy in opposition to the canons of the blessed Fathers and the ancient custom (c. 8 III).

The Bishop of Constantinople, the New Rome, shall enjoy the same honor as the Bishop of Old Rome because the imperial capital has been moved there; for this reason, the Metropolitans of Pontus, of Asia, and of Thrace, as well as the bishops in barbarian lands, shall be ordained by the Bishop of Constantinople (c. 28 IV).

The throne of Constantinople shall enjoy equal seniorities (or priorities) with the throne of older Rome, and in ecclesiastical matters shall be magnified like the latter; after which the throne of the great city of Alexandrians shall come next, then that of Antioch, and after that the throne of the city of Jerusalemites (c. 36 VI).

The bishop of an eparchy is not allowed to extend his jurisdiction to another eparchy (c. 35 Ap; c. 2 II; c. 8 III; c. 20 VI; c. 56, 120 Carthage; c. 13, 22 Antioch).

The bishop has jurisdiction over all the faithful, clergy and laypeople, and over all Church institutions from his eparchy (c. 8 IV; c. 9 Antioch).

The Endemousa Synod of 1593 ratified the elevation of the Metropolis of Moscow to the status of patriarchate, to occupy the fifth position in the diptychs (after the Patriarchate of Jerusalem). See also BISHOP.

JURISDICTION (TERRITORIAL): In the early Church, each town had its own bishop, who presided over the Eucharistic assembly and shepherded his flock. There were bishops even in small towns, presiding over communities of hundreds of people.[165]

The boundaries of episcopal regions were difficult to define, and the episcopal jurisdictions were continuously challenged. When the persecution of the Church ceased, the legislative authority of the Church defined precise boundaries, and the rule of one bishop for one territory was imposed (c. 8 I).

In the fourth and fifth centuries, the authority of bishops and metropolitans of the dioceses of the Roman Empire grew, and among them five metropolitans of the five most important cities

165. St. Gregory the Theologian (329–389) was nominated by Basil the Great as bishop in a small town called Sasima; "it was an insignificant place at the bifurcation of the road leading northwards from Tyana to Doara and diverging westward to Nazianzus" (NPNF 2.8: 25).

came to be known as patriarchs.[166] The metropolitans have kept their titles, but now they are elected and consecrated by the patriarchal synod to which they belong.

The Christian Church knows also a jurisdiction "in honor," by which the patriarchs (or popes) of different Churches receive a higher place of honor, related not necessarily to the extent of their territorial jurisdiction but to the administrative importance of their city (e.g., the capital of the Roman Empire) or to the city's religious and historical importance for the Church (e.g., Jerusalem).

In 451 at the Council of Chalcedon, the Bishop of Constantinople, the new capital of the Roman Empire, received a place of honor equal to that of Rome and new territorial jurisdiction in the barbarian lands (ordination of the bishops), where no permanent and clear administration had been established (c. 28 IV).[167] That extended jurisdiction was meant to protect churches in those areas until a self-governing, or autocephalous, church could be established in an organized Christian state.

Over the centuries many churches developed in what once were called barbarian lands, and those churches became autocephalous churches (e.g., Church of Russia in 1589, Church of Greece in 1833, Church of Romania in 1865, Church of Bulgaria in 1870).

The Patriarchate of Constantinople considers that new territories "over the seas" or in diaspora should be under its authority until these churches mature enough to become self-governing. Some new patriarchates believe that their dependencies overseas or in diaspora should be under their authority, claiming either the right of the first arrived in those territories or the national origin of the faithful.

The development of the nations under the philosophical trends of the Enlightenment and French Revolution led to the phenomenon of ethno-phyletism,[168] which eventually materialized in the creation of national churches.

166. Originally, a diocese was a territorial unit of the Roman Empire formed for tax-collection purposes. After the division of the Roman Empire under Diocletian (290) a number of dioceses were created, each having a number of provinces (e.g., Britannia had four provinces; Orient had twelve). Eventually, the Church came to followed the territorial structure of the empire, and the territorial jurisdiction of a bishop was called diocese

167. See the footnote explaining the term "barbarian" under the entry AUTOCEPHALY.

168. Ethno-phyletism is the English word for the Greek ethnophyletismos and underscores the idea that the local autocephalous or autonomos Churches should be based not on a local [ecclesial] criterion, but on an ethno-phyletist, national or linguistic one. It was used at the Holy and Great pan-Orthodox Synod in Constantinople on the 10th of September 1872 to qualify "phyletist (religious) nationalism," which was condemned as a modern ecclesial heresy; the Church should not be confused with the destiny of a single nation or a single race. (See, Grigorios Papathomas, The oppositional relationship between the locally established Church and the ecclesiastical 'Diaspora', in www.orthodoxa.org/GB/orthodoxy/theology/solidarity.htm).

The local synod of Constantinople (August 1872) condemned phyletism and published a resolution that stated, "In the Christian Church, a society which is spiritual and charged by its Head and Founder [Jesus Christ] to include all nations in one Christian brotherhood, phyletism is foreign and completely unthinkable."

The newer lands of North and South America, Australia, the Far East, and those outside the boundaries of the local Churches as defined in the sacred canons and the decisions of the Ecumenical Synods and confirmed in the Patriarchal and Synodical Tomes are included in the "barbarian lands" (according to the terminology of c. 28 IV) and consequently are under the authority of the Ecumenical Patriarchate.

A canonical regularization of the existent parallel jurisdictions in diaspora will be one of the great tasks of a future Holy and Great Synod of the Orthodox Church. See also AUTOCEPHALY; AUTONOMY.

JURISDICTION OF A BISHOP: See BISHOP.

JURISDICTION OF PROVINCIAL SYNODS: See SYNODS.

KINSHIP (BLOOD): Blood kinship is also known as relations of consanguinity; consanguinity up to the fourth degree is an impediment to marriage (c. 54 VI; c. 19 Ap; c. 75 Basil the Great; c. 11 Timothy of Alexandria; c. 5 Theophilos of Alexandria). See also IMPEDIMENTS TO MARRIAGE.

KINSHIP (GENERAL): The kinspeople of a bishop should be not allowed to administer the funds of the church (c. 25 Antioch). A bishop is not allowed to ordain a relative of his or make him heir of the bishopric (c. 76 Ap).

KINSHIP (IN-LAWS): Kinship of this kind is also known as alliance relations; such relations are an impediment to marriage up to the fourth degree (c. 54 VI; c. 2 Neocaesarea; c. 23, 78, 87 Basil the

Great; c. 11 Timothy of Alexandria). See also IMPEDIMENTS TO MARRIAGE.

KINSHIP (SPIRITUAL): Spiritual kindshiop is also known as affinity, or a godparent–godchild relationship; affinity is an impediment to marriage up to the second degree (c. 53 VI). In some nomocanons, it is an impediment up to the third degree. See also GODPARENT; IMPEDIMENTS TO MARRIAGE.

KINSMEN OF A BISHOP: Provision for the kinspeople of the bishop is to be made from his private property (c. 40 Ap; c. 24 Antioch); if in need, they are to be relieved as the rest of the poor are (c. 38 Ap).

A bishop is not allowed to ordain, based on personal reasons, his kinsmen to the episcopate; if he dares to do so, the ordination should be void and the bishop should be excommunicated (c. 76 Ap).

A bishop is not allowed to employ his kinsmen in the management of church funds (c. 25 Antioch).

KISS OF PEACE: The kiss of peace is to follow the prayers for the faithful in the Divine Liturgy (c. 19 Laodicea). Concerning the kiss of peace, the laity are to give it to one another, and the priests to the bishop, and so the holy oblation is completed (c. 19 Laodicea).

KNEELER: If a catechumen falls into sin while he is a kneeler, let him become a hearer and sin no more; but if he sins while he is a hearer, he is cast out of the Church[169] (c. 5 Neocaesarea).

KNEELING: On the Lord's Days and on Pentecost, all must pray standing and not kneeling (c. 20 I).

LAICIZATION: Laicization refers to a Church proceeding by which a clergyman is returned to the status of laity. On very many occasions, laicization is a consequence of a grave infraction in Church discipline and is the result of a canonical deposition (i.e., defrocking). See DEPOSITION.

169. Kneeler and hearer are two of the steps of the penance [*epitimia*] which was prescribed in the early Church. For example, in c. 87 VI a penance of seven years for adultery was split into the following steps: weeper for a year, hearer for two years, prostrator for three years and costander for a year. Here the penance is given to a catechumen and if he is already a repeated offender, he is cast out of the church. The penitents were grouped by step and they would spent time outside of the church (weepers), in the Narthex (hearers and prostrators) and the last step in the church [nave] (costander); nowadays, such penance and such division of time is unheard of and would appear strange to many non-Orthodox and even Orthodox people.

There are also situations in which a clergyman did not commit any canonical infraction and was not canonized but was laicized at his own request. In the past, some such requests arose from the clergyman's desire to marry (for the first time if he was a celibate, or for the second time if he was a widower or divorced). Nowadays, more mundane reasons, such as fatigue and burnout, are often claimed. The synod of bishops, more or less reluctantly, has approved those laicizations.

On the one hand, There are people who believe that laicization by request is both canonical and permissible. It seems that in the twelfth century the Church dealt with such situations: Balsamon wrote about a voluntary resignation from the priestly state in his commentary on c. 62 Ap; in the Church of Russia in the nineteenth century, it was decreed that someone could "leave the sacramental office or the monastic vow at his own request."[170] Among the scriptural and Canon Law references invoked in favor of this position are 1 Corinthians 7; c. 26 Ap; c. 6 VI. In his commentaries to c. 62 Ap and c. 44 Basil the Great, Balsamon discussed voluntary resignation from divine service, but he mentioned a clergyman who had renounced the priestly dignity because of fear of enemies (c. 62 Ap) and deaconesses who had committed lewdness [fornication] with a pagan (c. 44 Basil the Great). In both situations, those involved received serious punishment.

On the other hand, there are canonists who believe that the practice of laicization by request is absolutely wrong. Among the biblical, sacramental, and canonical arguments for this position are the following:

We commonly invoke that a priest remains a priest even in death based on the Scripture, "The Lord has sworn and will not change His mind, 'You are a priest forever according to the order of Melchizedek'" (Ps. 110:4).

In the sacrament of ordination to priesthood, the deacon receives the Body of Christ (*amnos*) from the ordaining bishop, who makes the following admonition: "Receive this Divine Trust,

170. Article 86 of the Statutes of the Ecclesiastical Courts, 1883 (in Milash, *Canons,* 1, 2, 380.)

and guard it until the Second Coming of our Lord Jesus Christ, at which time He will demand it from you."

The canons of the Orthodox Church and even the canonical norms issued after the seven Ecumenical Councils do not envisage the possibility of renouncing the priesthood.

A clergyman may be laicized by the competent authority of the Church, but this does not mean that a clergyman may renounce the charism of priesthood for personal reasons.

At the sacrament of ordination, a clergyman makes a promise to serve faithfully the Lord and the Church; so he may not abandon his promise (1 Cor. 4:1–2).

If c. 7 IV does not allow a clergymen to accept a military charge or a secular dignity, even more it does not allow a clergyman to abandon the service that was offered freely and to which he promised fidelity. A bishop or a priest is not allowed to leave the Church's service and to dedicate himself to secular affairs (c. 81 Ap).

Even under persecution, a clergyman is supposed to stand fast for Christ and not renege his status (c. 62 Ap).

If the Church condemned exercising religious and secular positions at the same time and canonized this with deposition (c. 83 Ap), clearly it will not allow the abandonment of the priestly state for personal reasons.

The Letter of the Holy Synod of Ephesus to the Sacred Synod in Pamphilia concerning Eustathius, who had been their metropolitan, included in the Acts of the Fourth Ecumenical Council, states that the bishop "may not decline to battle with difficulties which beset him," but actually ought to "strive against the troubles and gladly to endure the sweat for which he bargained [priesthood]."[171]

St. Cyril of Alexandria (c. 3 in Milash, *Canons* 2.2, 189) stated that Church law does not allow a clergyman to submit a letter of resignation and leave the priesthood because he is threatened or because he is in dire need; if he is worthy of the divine service, he should continue; if he is not worthy to serve the Lord because of a canonical infraction, then he may not leave through resignation; rather, he should be condemned for that canonical infraction.

In Roman Catholic theology the priesthood, along with baptism and chrismation, leaves on the candidate an indelible spiritual mark

171. Henry R. Percival, *Seven Ecumenical Councils of the Undivided Church*, vol. 14 of the Nicene and Post-Nicene Fathers (Grand Rapids: Eerdmans, 1991), 236.

by which one is consecrated as a servant of God; consequently, once a candidate becomes a priest he may not return to the status of a layman, irrespective of the canonical infraction committed. However, this is not the doctrine of the Orthodox Church.

LAITY: In the process of election of the clergy, the laity also has to participate (c. 6 Sardica; c. 50 Carthage).

Clergy and laity are forbidden to mock the infirm; if they do so, they should be excommunicated (c. 57 Ap).

A clergyman who neglects the clergy and laity and does not instruct them in the way of godliness should be excommunicated (c. 58 Ap).

Both clergy and laity are to fast during Great Lent unless prevented by bodily sickness; if they do otherwise, a clergyman should be deposed and a layperson should be excommunicated (c. 69 Ap).

Both the clergy and laity of Phrygians are to be instructed and baptized before admission to Holy Communion (c. 8 Laodicea).

A deaconess of the Paulianists reconciled with the catholic Church, if worthy, may be ordained; but Paulianist deaconesses who appear in the habit of that order are to be numbered among the laity (c. 19 I). See also LAYPEOPLE.

LAMB: The Lamb (ἄμνος; *amnos*) is the central part of the loaf of bread (*prosphora*) that bears the inscription IC XC NI KA and becomes the Body of Christ after the prayer of transformation (μεταβολή). In the oblation (*proskomide*), the priest starts with five loaves of bread (*prosphores*), or at least three of them, baked from pure flower, kneaded with yeast and warm water, lightly salted, and without any other ingredients; the loaves should have the seal IC XC NI KA imprinted on them. Under no circumstances may the priest start with unleavened bread, or azyme. A priest who breaks these rules commits a mortal sin and must be deposed (EL 1238).

A priest who celebrates the Divine Liturgy but does not partake of Holy Communion, knowing that he is unworthy, should be suspended for three years as one who insults the Body and Blood of the Lord on the day on which he is unworthy (EL 1209).

In extraordinary circumstances, when *prosphora* may not be procured, the priest may start with a clean loaf of bread, extract the Lamb, and inscribe with the spear the letters of the seal, so he can perform the oblation (EL 1238).

If a priest cuts the Lamb and a part of it falls on the ground, that priest should do two hundred prostrations; if a priest does not take good care of the Lamb and mice eat part of it, or if through negligence he crumbles it, that priest should fast for forty days (EL 1210). See also LAMB (LOST OR DAMAGED); OBLATION/*PROSKOMIDE* (ACCIDENTS DURING).

During the communion of the faithful, the priest should take from the Body and not from the particles, as the faithful should commune from the Body and Blood of the Lord, which is given to them with the communion spoon (Symeon of Thessalonika, IV.94). See also PARTICLES.

LAMB (LOST OR DAMAGED): If the Lamb is eaten by mice or any other animal, and if this animal is caught, then that defiling animal should be buried in the ground (EL 1204).

If the Lamb is lost or damaged, the priest may extract from a loaf of bread another Lamb and inscribe with the spear the letters IC XC NI KA on it, so he can perform the oblation, or *proskomide* (EL 1238).

In exceptional situations, when during the Divine Liturgy the priest discovers that the Lamb is moldy or has been lost, or stolen, or eaten by mice, he should interrupt the Divine Liturgy, take another *prosphora*, say over it all the prayers of oblation, or *proskomide*, extract another Lamb, and continue the Divine Liturgy from that point. If the original Lamb is eventually found, this Lamb should be immediately put on the paten if already sanctified; if not sanctified, this Lamb should be added to the blessed bread. The priest is required to confess to his bishop in order to receive the appropriate penance (EL 1240).

If before the Great Entrance a priest discovers that the Lamb is missing (or has been eaten by mice or another animal) he should do another oblation, or *proskomide*, and confess this accident to his bishop; the bishop should not defrock the priest but rather suspend him for a period of time. If this accident happens during Great Lent or during a great feast of the Church and no other priest is available, the bishop should not suspend the priest in order that the work of God should continue, but rather canonize him with severe fasting, charity, and prayer (EL 1203).

If a priest cuts the Lamb and drops a part of it on the ground, he should do two hundred prostrations; if he is negligent and mice eat part of the Lamb, or if through his negligence the Lamb breaks into pieces, he should be canonized with forty days of fasting (EL 1210). For other possible accidents during the oblation, see OBLATION/*PROSKOMIDE* (ACCIDENTS DURING).

LAME: Clergymen and laypeople are not allowed to mock the lame; if they do so, they should be excommunicated (c. 57 Ap). A man who is lame of a leg may, if worthy, be made a bishop (c. 77 Ap).

LAMPS: Christians are not allowed to light lamps in a synagogue of the Jews during their festivals (c. 71 Ap).

LAPSED: A clergyman who denies the name of Christ—that is, commits apostasy—should be cast out (i.e., excommunicated; c. 62 Ap).

Laypeople who denied the faith (lapsed) and eventually were ordained, whether their apostasy was known or not, should be deposed from the office (c. 10 I).

Presbyters who offered sacrifices to idols and afterward returned to the true faith should be allowed to keep their seat and honor but should not be allowed to perform any sacerdotal function (c. 1 Ancyra). The same applies to deacons who offered sacrifices to idols and returned to the true faith: they should keep the rank and honor but not be allowed to perform liturgical functions; however, if the bishop notices eagerness in fulfilling duties and humbleness in behavior, he may grant indulgence and restore the deacon to his previous authority (*economia*; c. 2 Ancyra).

The lapsed who have fallen in times of persecution may be admitted to Communion through penance (c. 8 I).

The lapsed who have fallen without compulsion (i.e., force, violence), without the spoiling of their property and without danger, though they do not deserve clemency, should be dealt with mercifully: if they heartily repent, they shall pass three years among the hearers, seven years as prostrators, and two years as costanders, who commune in prayer but not oblation (c. 11 I).

Those who yielded merely upon the threat of penalties, confiscation of their goods, or banishment and have sacrificed to idols and now are looking to convert should be received as hearers until the Great Day—that is, Easter (Pascha). Then they should should be penanced with six years, as hearers till the Great Day [Easter], after the Great Day three years as prostrators, then two years as

costanders), and come to communion at the completion of six years of penance (c. 6 Ancyra).

Those who were forced to sacrifice but afterward participated with joy in sacrifices to idols should be penanced with six years: as hearers for one year, prostrators for three, and as costanders (communion without oblation) for two years (c. 4 Ancyra).

Those who submitted to sacrifice with mourning and ate from the meat offered to the idols, should be prostrators for three years; if they did not eat, they should be prostrators only two years. The bishop should consider the character of their conversion and either deal with them more leniently (*economia*) or extend the time (*akriveia*) c. 5 Ancyra).

Those who brought their own meats to pagan feasts should be prostrators two years (c. 7 Ancyra).

Those who have fallen a second time are to be hearers three years and prostrators ten years (c. 12 I).

Those who sacrificed two or three times, under compulsion, should be penanced with six years of excommunication (c. 8 Ancyra).

Those who forced their brethren to apostasize should complete ten years of penance (c. 9 Ancyra).

Lapsed catechumens should complete three years of penance (c. 14 I).

Those who are in penance for lapse may be allowed to receive Holy Communion if in danger of death (c. 6 Ancyra).

Those who were forced through violence to join the Arian heresy and who confessed that they did not become true Arians should be forgiven and restored to their previous rank in the catholic Church; if the leaders and defenders of the heresy convert and repent, they should be received back into the Church, but they may not be clergy any longer. All who leave the Arian heresy and return to the Church should publicly pronounce anathema the teachings of the leaders Eudoxius of Constantinople (360–370) and Euzoius of Antioch (364–374) and solemnly to adhere to the profession of faith, the creed of Nicaea (c. 3 Athanasios the Great).

"The one who denies himself to be a Christian, that he may not be hated by men, and so he loves his own life more than he does the Lord, in those hand his breath is, is wretched and miserable . . . is an enemy of God, having no longer his portion with the saints, but with those who are accursed" (AC 5.4).

LAWSUITS: Normally, lawsuits occur when there is a tension between Canon Law and secular law. Canon Law prescribes the sins and offenses (sometimes crimes) that fall under its jurisdiction, and by default all other crimes are dealt with by secular law. Moreover, communicants are required to solve their litigious problems within the Church on the basis of the ecclesiastical law and then, only by exception, to make use of secular law. Those laypeople and clergymen who disregard this injunction may be excommunicated or deposed (c. 11 Antioch), lose the grace of the Church (without chance of pardon), lose the right of appeal, and remain with no hope of future restoration (c. 12 Antioch).

One of the most difficult aspects of the lawsuits in the United States of America is the determination of jurisdiction—that is, where ecclesiastical law is applicable and where secular law is in force. Because the United States upholds the separation of church and state and because a multitude of religious expressions are present in the country, unified Canon Law has been made impossible. Consequently, secular law may not deal with dogmatical, liturgical, ecclesiastical, or organizational issues of the different religions, for it may not make a determination regarding what is right and what is wrong. Based on the principle of separation, civil authorities do not become involved in these issues unless a particular religious entity comes into conflict with the secular law or breaks its own rules.[172]

Lawsuits as to the ownership of property in the possession of a bishop at the time of his death are to be prevented by keeping his private property distinct from that of the Church (c. 40 Ap; c. 24 Antioch).

LAWYERS: A diocese should have lawyers in order to defend the interests of the Church (c. 75, 97 Carthage).

LAYING ON OF HANDS: See IMPOSITION (LAYING ON) OF HANDS.

LAYPEOPLE: Laypeople, or the faithful, are the backbone of the Church. Most of the canonical rules concerning laypeople relate to

172. See, for example, Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church in North America, 344 U.S. 94, 116, 73 S. Ct. 143, 154–155 (1952).

penitential discipline. It should be noted that monks and nuns, although organized in orders, belong to the laity and not to the clergy.

A. The duties of laypeople

All the faithful who come and hear the Scriptures but do not stay for the prayers and Holy Communion are to be excommunicated as causing disturbance in the Church (c. 9 Ap; c. 2 Antioch).

Laypeople are to fast during Great Lent and on Wednesdays and Fridays unless prevented by bodily weakness; if they disregard this rule, they should be excommunicated (c. 69 Ap).

Laypeople are to remain subject to their bishops; if they contravene this canon, they should be excommunicated (c. 8 IV).

Laypeople are to give the kiss of peace to one another after the priests have given the kiss to the bishop; so the holy oblation is completed (c. 19 Laodicea).

B. The privileges of laypeople

Bishops, priests, and deacons are forbidden to strike laypeople who sin; a clergyman who does so should be deposed (c. 27 Ap).

Bishops and priests who neglect the laity and do not instruct them in the way of godliness should be excommunicated; if they persist in negligence and idleness, they should be deposed (c. 58 Ap).

Laypeople who have been steadfast through the persecutions, though forced to appear otherwise, are entitled to all their former rights and may, if worthy, be ordained (c. 3 Ancyra).

A layperson has the right of appeal to the provincial synod against a sentence of his bishop (c. 6, 20 Antioch).

C. Things forbidden to laypeople

Laypeople are forbidden to compose or use any creed other than the Nicene Creed; if they dare to do so, they should be excommunicated (c. 7 III).

Laypeople are not allowed to join in prayer with the heretics (c. 33 Laodicea).

Laypeople are not allowed to assemble for prayer or service in cemeteries and martyries of the heretics; if they do so, they should be excommunicated for a time, but if they repent and confess, they should be received back (c. 9 Laodicea).

Laypeople are not allowed to receive gifts from the festivals of the heretics (c. 37 Laodicea).

Laypeople are not to marry their children to heretics unless they promise to become Christians (c. 10, 31 Laodicea).

Laypeople are not allowed to enter a synagogue of the Jews or heretics to pray; whoever does so should be excommunicated (c. 64 Ap).

Laypeople are not allowed to keep fast or to celebrate with the Jews or receive from them gifts, such as unleavened bread or any such thing; if they do so, they should be excommunicated (c. 70 Ap; c. 37 Laodicea).

Laypeople are not allowed to feast with the heathen or to partake from their gifts (c. 39 Laodicea).

Laypeople are not allowed to join in prayer with schismatics; if they do so, they should be excommunicated (c. 33 Laodicea).

Laypeople who gather a separate congregation and erect another altar, not having any grounds for condemning the bishop with regard to religion or justice, after three admonitions to cease, shall be excommunicated (c. 31 Ap).

Laypeople are not allowed to pray, even in a private house, with the excommunicated; if they do so, they should be excommunicated themselves (c. 10 Ap; c. 2 Antioch).

Laypeople who communicate with a clergyman who, after deposition, meddles with his former ministry shall be cast out of the Church (c. 4 Antioch).

Laypeople are not to fast on Sundays or Saturdays (with the exception of the Holy Saturday); if they do so, they should be excommunicated (c. 66 Ap).

Christians who honor the Sabbath by resting rather than working on that day and do not honor the Lord's Day, resting as Christians, are found to be Judaizers and should be pronounced anathema from Christ (c. 29 Laodicea).

If a layman puts away his wife and marries another or marries one who has been divorced by another man, let him be excommunicated (c. 48 Ap).

If a layperson abstains from marriage, meat, or wine not because of asceticism but because he abhors them, let him be corrected or else cast out of the Church (c. 51 Ap).

Laymen are not allowed to wash in a bath with women (c. 30 Laodicea).

If a layman castrates himself, let him be excommunicated for three years (c. 24 Ap).

If a layperson eats flesh with the blood of life thereof or eats anything killed by beasts or that died of itself, let him be excommunicated (c. 51 Ap).

A layperson is not allowed to join in clubs dedicated to drinking and entertaining (c. 55 Laodicea).

If invited to a love feast (*agape*), laypeople are not allowed to take away their portions, so no reproach will be cast on the Christians (c. 27 Laodicea).

When attending weddings, Christians should not engage in wanton dances but modestly dine or breakfast, as is becoming to Christians (c. 53 Laodicea).

Laypeople are not allowed to mock the infirm; if they do so, they should be excommunicated (c. 57 Ap).

Laypeople are not allowed to take away candles or oil from the Church; if they do so, they should be excommunicated, and they should restore a fifth part more than what they took (c. 72 Ap).

Laypeople are not allowed to appropriate consecrated vessels from the Church; if they do so, they should be excommunicated (c. 73 Ap).

Laypeople found negotiating shameful and unlawful transactions should be anathematized (c. 2 IV).

A layperson who insults the emperor (i.e., civil authority) or a ruler should be excommunicated (c. 84 A).

A layperson shall not teach publicly Church doctrine without the approval of the clergy (c. 64 VI).

A layperson is not allowed to read the Scriptures in church unless he is a tonsured reader (c. 33 VI).

None who are in the order of the laity may distribute the Divine Mysteries to him- or herself if a bishop, presbyter, or a deacon is present; whoever does so will be excommunicated for a week (c. 58 VI).

A layperson is not allowed to enter the altar unless he is the emperor (c. 69 VI).

A layman who celebrates services as a priest without having being ordained should be permanently excommunicated, along with those who helped him (Trebnik, 256).

D. Penalties inflicted on laypeople

See SUSPENSION, EXCOMMUNICATION, ANATHEMA.

E. General regulations concerning laypeople

Laypeople who are excommunicated in one city may not be received in another without commendatory letters; if this happens, the receiver should be excommunicated, and the excommunication of the layperson should be extended (*akriveia*; c. 12 Ap).

If excommunicated by their bishop, members of the laity may not be received by another bishop unless restored by their own bishop or unless the sentence is reversed by a synod (c. 6 Antioch).

If justly excommunicated, laypeople may not be restored by any other than the bishop who excommunicated them; otherwise they may appeal to a synod, which can pronounce a milder sentence on them (c. 5 I).

A single communicant may not be accepted as the accuser of a bishop, "for in the mouth of two or three witnesses, every word shall be established" (c. 75 Ap).

A layperson who is under accusation for alleged faults may not bring charges of an ecclesiastical nature against a bishop (c. 6 II).

Those who are themselves under accusations or condemned or excommunicated may not bring charges against a bishop (c. 6 II).

The accusers of a bishop should be examined as to their character (c. 6 II; c. 21 IV).

False accusers of a bishop are to suffer the penalty to which he would have been liable had the charge been proved (c. 6 II).

A deaconess of the Paulianists who has assumed the habit of that order, if reconciled to the catholic Church, is to be received among the laity (c. 19 I).

A layperson is not to be received from abroad without letters of peace (c. 7 Antioch). To the poor and the needy who travel in search for help, after examination they should be given

letters of peace, and not commendatory letters, which are given only to persons who are open to suspicion (c. 11 IV).

A layperson who is possessed by the devil is not allowed to pray with the faithful; but if the demon is cast out, the person should be received into communion (c. 79 Ap).

Prayers for the faithful are to follow the prayers for those under penance (c. 19 Laodicea).

For the disqualifications that prevent the ordination of a layman, see CLERGY, Disqualifications for the office of bishop, presbyter, or deacon.

LAY STATUS: A priest who is deposed for leaving his parish without his bishop's consent, after three summonses to go back, should be returned to lay status (c. 15 Ap). A clergyman who denies the name of Christ should be cast out (defrocked); if he denies the name of a clergyman, he should be deposed. If he repents, he should be received as a layman (c. 62 Ap). See also LAICIZATION; PENALTIES.

LENT: Both clergy and laity are to fast during Great Lent unless prevented by bodily sickness. If they do otherwise, a clergyman should be deposed and a layperson should be excommunicated (c. 69 Ap).

If any bishop, presbyter, deacon, or anyone on the sacerdotal list keeps fast or festival with the Jews or receives from them any of the gifts of their feasts, let him be deposed. A layperson who does so should be excommunicated (c. 70 Ap).

The faithful should fast during the whole of Great Lent by eating dry food, and they may not break the fast on Holy Thursday; it is not right to break the fast on Holy Thursday and so spoil the whole fast; the entire period of Great Lent should be kept by fasting on dry food (c. 50 Laodicea).

During Great Lent there is no oblation except for Sundays and Saturdays (c. 49 Laodicea).[173]

During Great Lent Christians may not celebrate a Divine Liturgy of the saints and the martyrs of the Church; their celebration should be transferred to Sundays and Saturdays (c. 51 Laodicea). Likewise,

173. During Great Lent, oblation (proskomide) is allowed only on Sundays and Saturdays and when the Liturgy of St. Basil is celebrated; on other weekdays, the presanctified liturgy should be celebrated with the gifts sanctified on the previous Sunday. The only exception to this rule is for the Annunciation, when it falls during Great Lent.

marriages and birthdays are not to be celebrated during Lent (c. 52 Laodicea).

The second week of Great Lent is the last for receiving candidates for baptism (c. 45 Laodicea).

The spring provincial synod is to be held before Great Lent (c. 5 I).

The Sixth Ecumenical Council decreed that the apostolic and patristic tradition should be followed and that it is not right to break the fast on the Holy Thursday of the last week of the Great Lent—that is, Thursday of Holy Week—and thus to dishonor the entire Great Lent (c. 29 VI).

At the time of the same council, some in Rome, during the holy fast of Lent, were fasting on Saturdays (either by abstaining entirely from food of all kinds or by eating only dry food at the ninth hour), contrary to the ecclesiastical practice handed down. The council exhorted the Church of the Romans to rigorously abide by c. 54 Ap: "If any clergyman be found fasting on Sunday or on Saturday, with the exception of the Holy Saturday, let him be deposed from office; if he be a layman, let him be excommunicated" (c. 55 VI).

Likewise, in the regions of Armenia and in other places, certain people were eating eggs and cheese on the Sabbaths and Lord's days of Holy Lent. The council urged the whole Church of God to follow one rule and keep the fast perfectly by abstaining from everything that is killed and also from eggs and cheese, as they are the fruit and produce of those killed animals. Clerics who do not observe this law should be deposed; laypeople should be cut off (i.e., excommunicated; c. 56 VI).

On Holy Saturday, the fast must continue until midnight, after the Resurrection (c. 89 VI; c. 1 Dionysios of Alexandria).

If anyone, under pretense of asceticism, fasts on Sunday, let him be anathema (c. 18 Gangra).

If any of the ascetics, without bodily necessity, disregards the fasts commonly prescribed and observed by the Church, let him be anathema (c. 19 Gangra).

Let not your fasts be with the hypocrites; for they fast on the second and on the fifth day of the week. But either fast the entire five days (Monday through Friday), or on the fourth day of the week (Wednesday), the day on which Judas betrayed the Lord, and on the day of Preparation (Friday), because on that day the Lord suffered

death on the cross. Keep the Sabbath, with exception of Holy Saturday, and the Lord's day festival days (AC 7.23).

Wednesday is to be fasted, because then the Jews conspired to betray Jesus; Friday, because he then suffered for us. Christians keep the Lord's Day as a day of joy, because then our Lord rose. Our tradition is not to kneel on that day (c. 15 Peter of Alexandria).

A pregnant woman is not required to keep the Paschal fast (c. 8 Timothy of Alexandria). A sick person may receive release from fasting (c. 10 Timothy of Alexandria).

It is not right to receive Holy Communion from a priest who does not fast on Wednesdays and Fridays, even if he seems to be pious (c. 47 Nicephorus the Confessor).

LESSON: The Psalms are not to be joined together in the congregation, but lessons and verses should be interspersed among them, "so as to repel weariness" (c. 17 Laodicea).

LETTERS: In the Canon Law of the early Church, four types of letters were predominantly used: dimissory letters, letters of peace, commendatory letters, and canonical letters. Letters of the last type were known also as formed letters (*formatae*) because they had some prewritten form and carried a wax seal or another mark.[174] The use of the formed letters in the early Church was widespread; Julian the Apostate made an attempt to introduce something similar among the pagans of his empire.

A. DIMISSORY/TRANSFER

Dimissory letters (ἐπιστολαί ἀπολυτικαί) were given only for permanent change of ecclesiastical residence.

A bishop is not to cross the seas unless he has received from the primate of his region a dimissory letter, c. 23 Carthage.

No clergyman without a dimissory letter from his bishop can be registered in the clergy list of another church (c. 17 VI).

The clergy going to the court of the emperor should have a dimissory letter from their bishop (c. 106 Carthage; in NPNF 2.14: 495, in Milash, *Canons,* 2.1: 267-268, and not in *Rudder*).

B. PEACE

Letters of peace, or pacifical letters (ἐπιστολαί εἰρηνικαί), were given to the poor, clergy, or laity so in their travels they might be

174. See Abbé André, *Cours alphabetique et methodique du droit canon*, vol. 1 (Paris: Ateliers Catholique du Petit-Mountrouge, 1844), 419.

helped (with food, lodging, clothes, etc.) by the faithful living in those areas.

To the poor in need of help and who travel can be given letters of peace (c. 11 IV).

No stranger shall be received without letters of peace (c. 7 Antioch).

A *chorepiscopos* may give letters of peace (c. 8 Antioch).

C. COMMENDATORY

Commendatory letters (ἐπιστολαί συστατικαί) in the early Church, mentioned by St. Paul (2 Cor. 3:1), were given to laypeople and clergy who had previously been subject to ecclesiastical censure and consequently were suspected by other bishops. With commendatory letters—that is, letters of recommendation—they would be received in another church and would be able to partake of Holy Communion. For this reason, commendatory letters were also called communion letters.

If anyone of the clergy or laity is excommunicated, or not to be received, and eventually he will be received in another eparchy without commendatory letters, let both the receiver and the received be excommunicated; if the person was already excommunicated, than through *akriveia* let his excommunication be extended (c. 12 Ap).

No foreign clergy should be received without commendatory letters (c. 33 Ap; c. 11, 13 IV).

A clergyman must obtain the letters of the metropolitan and provincial synod before he may petition the emperor (c. 11 Antioch).

D. CANONICAL

Canonical letters[175] (ἐπιστολαί κοινωνικαί) were given only to traveling clergy by their bishops.

175. Generally speaking, canonical letters are those letters given to the clergy and laity who leave an eparchy and go into another; thus, in the canonical letters are included the dimmisory (transfer) and commendatory (recommendation) letters (given to the clergy) and peace letters (given to the laity). As in modern times letters are given almost exclusively to the clergy, the canonical letters came to be understood as dimmisory and/or commendatory letters issued by the competent bishop. In his commentary to canon 17 VI, Balsamon mentions that a clergymen who wants to enter into another eparchy has to have two letters, a commendatory letter (to prove his ordination and his clerical rank) and a dimmisory letter (to prove that he has the approval of his bishop). See, Milash, *Canons*, 1.2:368-370.

Members of the clergy may not travel from one eparchy to another without a canonical letter (c. 42 Laodicea).

A rural presbyter is not to give canonical letters; if he does, he may give them only to a neighboring bishop. The *chorepiscopi* (auxiliary bishops) of good report could give letters of peace (c. 8 Antioch).

LIE: Lying is condemned by the Scriptures and by Church regulations. "Therefore, putting away falsehood, let every one speak the truth with his neighbor, for we are members one of another" (Eph. 4:25).

If it is proved that any bishop has lied concerning the communion with the Donatists, let him lose his bishopric (c. 124 Carthage).

The ones who have been aware of certain sins committed by other people and failed to confess them to the priests or bishops, if exposed or caught, should receive the same punishment as the perpetrators of the evil (c. 71 Basil the Great). Similarly, nuns who are aware of an adultery or of defiling of infants and do not confess it to the abbess are subject to the same punishment as the perpetrators (c. 38 John the Faster). See also DECEPTION.

LIMITATION: The time within which a bishop's jurisdiction over outlying parishes can be questioned is limited to thirty years from the date when such jurisdiction was acquired (c. 17 IV). See also PRESCRIPTIVE RIGHTS.

The lapsed who are admitted to penance, if in danger of death, may be received to communion under limitation (c. 6 Ancyra).

LIST: The sacerdotal list, canon, or roll of the Church is mentioned in c. 8, 17, 18, 51, 63, 70 Ap; c. 17 I; c. 2 IV; c. 1, 2, 6, 11 Antioch. The list of canonical books of the Bible is mentioned in c. 85 Ap; c. 60 Laodicea.

LITURGY: The Divine Liturgy should be performed only by those who have fasted (c. 29 VI; c. 41, 47 Carthage). On Holy Thursday the Divine Liturgy may be performed by those who had breakfast on that day (c. 41 Carthage); however, c. 29 VI abrogates this disposition.

Clergyman who perform the Divine Liturgy must commune at any liturgy (c. 8 Ap).

Clergyman who perform the Divine Liturgy outside the church (e.g., in private houses) without the approval of the bishop should

be deposed (c. 31 VI; c. 10 VII; c. 58 Laodicea; c. 12 Constantinople I–II).

If a clergyman prays—that is, performs the Divine Liturgy—in the company of a deposed clergyman, he shall also be deposed (c. 11 Ap).

In the Divine Liturgy the clergymen must use both wine and water (c. 32 VI).

A clergyman may commemorate more than one person from one *prosphora* (loaf of bread; c. 11 Nicephorus the Confessor).

A priest must not prepare Holy Communion without *zeon* (hot water) unless under the stress of a great necessity or when there is no hot water available there (c. 13 Nicephorus the Confessor).

Honey and milk may not be used in the preparation of Holy Communion (c. 57 VI).

In the preparation of Holy Communion, people should bring only the loaves of bread (*prosphores*) and wine and water; milk and honey, which are brought for the baptism of infants or for the baptism of the catechumen and given to them instead of Holy Communion, may no longer be blessed along with the *prosphora* and the wine (c. 37 Carthage).

The excess of products brought to the church for Holy Communion (*prosphores*, wine) should be divided among the clergy and faithful; catechumens and the unbaptized may not consume them (c. 8 Theophilos of Alexandria).

The prayers said before the Divine Liturgy, at the Great Entrance, or at the laying on of hands (in ordinations) should be the ones from the service book and approved by the synod (c. 103 Carthage).

If any bishop, presbyter, deacon, or anyone in the clergy list misses without serious reasons the Divine Liturgy three consecutive Sundays, let him be deposed; a layperson who does the same should be excommunicated (c. 80 VI).

A clergyman who in the Divine Liturgy allows the singing of the Trisagion hymn with an addition—namely, after "Holy and Immortal," the addition of "Who was crucified for us, have mercy upon us"—should be deposed; laypeople and monks should be excommunicated (c. 81 VI).

A clergyman may not perform the oblation or the Divine Liturgy in the presence of an Arian or a heretic (c. 9 Timothy of Alexandria).

Clergymen from the country may not perform the Divine Liturgy in the church of the city—that is, the cathedral; they may do so only when their clergyman is away and only with approval (c. 13 Neocaesarea).

Chorepiscopi may perform the Divine Liturgy along with the bishops in their cathedrals (c. 14 Neocaesarea).[176]

The Gospels are to be read on the Sabbath (i.e., Saturdays), with the other Scriptures. It is recommended that on Saturdays, the Divine Liturgy be performed in order to curb old Jewish customs related to Sabbath (c. 16 Laodicea).

"Those who enter the church and hear the Holy Scriptures, but do not communicate with the people in prayers, or who turn away, by reason of some disorder, from the holy partaking of the Eucharist, are to be cast out of the Church"; clergy who do so should be deposed, and laypeople who do so should be excommunicated (c. 2 Antioch).

In the Orthodox Church a priest is not allowed to perform two liturgies in one day from the same altar. He must celebrate only one liturgy in a day, as the Lord suffered and died only once in a day (EL 1260).

In the liturgy of Holy Thursday, the priest should extract two Lambs and lay them on the paten, carry them at the Great Entrance, and say the prayer of transformation on both of them. After the communion of the priests, the second Lamb should be gently dipped in the Blood of the chalice and placed in the ark, where it will stay until the matins of the following Tuesday. After the matins, the priest should take the sanctified Lamb, fragment it, and dry it under gentle heat in such a way as not to burn it or to cause a change in color; then the fragments should be put into the box of the *artophorium* and used as emergency communion (EL 1263).

If the priest blackens the fragments of the Lamb exposed to heat, or if he does not dry them well and they end up moldy, he should not use them for emergency communion but rather extract another Lamb and prepare it well this time. The damaged fragments of the Lamb should be consumed at the end of the Divine Liturgy, along with the rest of Holy Communion. The priest should confess this

176. The implication is that the *chorepiscopoi* are coequal with the titular bishops in sacramental ministry, though there is a difference in administrative authority.

failure to his confessor, and if the failing is serious, he should confess to and be canonized by his bishop (EL 1264).

LITURGY (ACCIDENTS DURING): A priest who celebrates the Divine Liturgy should carefully prepare to receive Holy Communion because "anyone who eats and drinks without discerning the body eats and drinks judgment upon himself" (1 Cor. 11:29; Symeon of Thessalonika, VII.29).

If a priest becomes seriously sick during the liturgy, and this happens before the prayer of transformation (epiclesis or μεταβολή), he himself or a person in the altar should cover the Holy Gifts. The liturgy can continue if another priest is present and celebrates that liturgy; otherwise, the oblation and liturgy will start from the beginning, and at the prayers of thanksgiving following Holy Communion, the priest will consume the Holy Gifts from the previous day (*katalixis*) (EL 1244).

If the celebrant priest falls gravely sick after the prayer of transformation and no other priest able to continue the liturgy is present, the sanctified Gifts are covered and kept until another priest can come and celebrate the oblation (*proskomide*) and the liturgy in a normal way. Then, at the prayers of thanksgiving, he will consume the remnants of Holy Communion from that day and also those from the previous day (EL 1245).

If during the liturgy and before the Cherubic Hymn, the celebrant priest is called to help with Holy Communion to a dying person or emergency baptism or confession, he may interrupt the liturgy, arranging for someone to read from the Scriptures, and after a hour or two when he comes back he should continue the Divine Liturgy. If he is retained for a longer period of time, the liturgy may not continue on that day, and the Holy Gifts should be consumed after the liturgy of the next day (EL 1246).

If a priest fled the church during the liturgy because of war, fights, or great dangers, and the Holy Gifts or the sanctified Body and Blood of Christ remain for a longer period of time and may no longer be consumed, then the priest should burn them on a new and clean brick, and he should eat the ashes or bury them under the Holy Table (EL 1247).

If bad men follow someone into the church and spill his blood during the liturgy, and if the spilling takes place before the Cherubic Hymn, the liturgy may be stopped and the Gifts may be

consumed; if the spilling takes place after the Cherubic Hymn, the liturgy should be continued to the end, and then the church must be cleansed with the archieratical prayer. If the priest fails to have the church cleansed, he should be defrocked by his bishop (EL 1236).

If the church is attacked by murderous people, the celebrant priest should immediately consume the Holy Gifts or the Body and Blood of Christ, and then he may flee; however, he may want to remain in the altar, and if he is killed for his faith, he will be numbered among the martyrs (EL 1255).

In case of fire or sudden collapse of the church building, the celebrant priest should take the holy vessels and the antimension and go to another church or another appropriate place and continue the liturgy to the end (EL 1256).

If during the liturgy a fly or a wasp accidentally falls into the chalice, before or after the sanctification (transformation, μεταβολή), the priest should remove it, wrap it in paper, and then burn it; the ashes should be disposed of in the drain underneath the Holy Table (EL 1249).

If a drop of Holy Communion falls on wood or stone or marble, the drop should be recouped as much as possible, and the place should be burned with alcohol. If more than a drop is spilled, that piece of wood or stone should be removed and burned; the stone and the ashes should be buried next to the wall of the church. If the spill is on carpeted floor or the priest's vestments, the affected areas should be cut and burned in a clean clay vessel which eventually will be buried next to the wall of the church (EL 1250).

If a drop of Holy Communion falls on the antimension, the vestments, or the covers (*kalymmata*), the priest should recoup as much as possible, then he should wash them in a clean clay vessel, and the water should be disposed of in the drain underneath the Holy Table; the clay vessel should be broken and buried next to the wall of the church (EL 1251).

If the entire content of the chalice is spilled, the priest should recoup and dispose properly of the elements of the spill and then appoint someone to read from the Scriptures or the lives of the saints. Then he should pour wine and water into the chalice and in silence celebrate the oblation from "And one of the soldiers pierced his side with a spear," then the prayers of the transformation, and then he

should commune the faithful. After this great trial, the priest will confess with tears to his bishop in order to receive penance; if he fails to confess and the bishop learns about the accident, the priest will be defrocked (EL 1252).

If after communing himself, the priest vomits Holy Communion, the vomit will be scraped into a clean clay vessel, the affected areas being cleansed or removed, and all elements will be burnt in the vessel, which eventually will be broken and buried next to the wall of the church (EL 1253).

A priest who willingly spills Holy Communion is to be defrocked; a priest who involuntary spills Holy Communion should be excommunicated for six months. He is required to remove the affected areas and to burn them, and the ashes should be disposed of in the drain underneath the Holy Table (Trebnik, 256).

After distribution of Holy Communion, the celebrant must wipe the particles and other parts from the paten into the chalice, making sure that no particles remain on the antimension or attached to the sponge. After the liturgy, the celebrant should proceed to the *proskomide* table and consume the rest of Holy Communion, wiping clean the chalice and covering the holy vessels with their covers. A priest who fails to do those things commits a serious sin and must be canonized (EL 1259).

LORD'S DAY: See SUNDAY.

LORD'S SUPPER: See OBLATION.

LOVE FEASTS (*AGAPAE*): Those who despise love feasts in honor of the Lord are to be anathematized (c. 11 Gangra). People who attend love feasts are forbidden to take away their portions (c. 27 Laodicea). Love feasts are not to be held in the church (c. 28 Laodicea).

LUST: The penance for those who are guilty of bestial lusts varies from a term of fifteen years to complete excommunication, according to circumstances (c. 16 Ancyra).

Those who have been guilty themselves and have corrupted others are to pray among the *hyemantes* (c. 17 Ancyra). See also *HYEMANTES*.

Bishops are forbidden to nominate advocates for the lust of money (c. 2 IV).

LUSTRATIONS: *Lustration* refers to all the methods of purification and expiation used by Greeks and Romans in order to enter into communion with the gods; basically, these comprise heathen divination and customs. People who practice lustrations are to fulfill five years of penance according to the prescribed degrees: three years as prostrators and two years of prayer without oblation (c. 24 Ancyra).

MACEDONIANS: Macedonians are admitted into the catholic Church through chrism after renunciation of their heresies (c. 7 II).

MAGIC: See ASTROLOGERS, CUSTOM (PAGAN), SORCERER, SORCERY.[177]

MAGICIANS: Magicians are to fulfill five years of penance: three years as prostrators and two years without oblation (c. 24 Ancyra).

Clergymen are not allowed to practice magic spells or rites; those doing so should be cast out of the Church (c. 36 Laodicea).

Those who give themselves up to soothsayers or to those who are called *hecatontarchs*[178] or to any such, should be subjected to the canon of six years. The same penalty should be imposed on those who lead bears, tell fortunes, and fates, and genealogy and other such things. Those who are called cloud-chasers and enchanters and amuletics and soothsayers, if they persist in these professions, should be thrown out of the Church (c. 61 VI). See also SORCERY.

177. In Orthodox Canon Law, the word *magic* refers not simply to illusion and mesmerization of the public but to an actual act of invoking Satan and his devils in order to find the future (divination), calm the spirits, and place a person under the protection of Satan rather than God. Byzantine civil legislation punished very harshly those attempts and practices. For instance, the emperor Constantius II threatened all diviners and their clients with the death penalty, condemning nearly all the interpreters and prophets that the ancient Roman world had known without any differentiation between religious, scholarly, and popular forms of divination. In a law of 370 proclaimed by the emperors Valentinian and Valens, teachers and students of astrology were condemned to death without regard to whether they studied the books in private or acted in public; by a law of 392, those seeking to discover secret things by inspecting the viscera of sacrificed animals were compared to people who committed high treason. The emperors Justinian (*Novel* 65) and Leo VI condemned all forms of "white magic" for the sake of health and good harvest. See the commentaries of Balsamon in G. A. Rhalles and M. Potles, *Syntagma theion kai ieron kanonon* (Thessaloniki: Ekdotikos Oikos Vasiliou Rigopoulos, 2002), 4:112–114, 232–233, 251, from which some of these examples are taken.

178. *Hecatontarchs* were old people who had the reputation of special knowledge about future events; they sold the hair of female bears and other animals as medicine or for amulets. (See Hefele's commentary on the canon on NPNF 2.14: 393).

MAGISTRATE: Communicants are not allowed to insult a magistrate or ruler. Those doing so should be punished: if they are clergymen, they should be deposed; if they are laypeople, they should be excommunicated (c. 84 Ap).

The election of the bishop, priest, or deacon may not be done by a magistrate—that is, a civil official (c. 3 VII).

"Thou shalt not kill"—that is, one must not destroy life oneself, for doing so dissolves what was well made. Not that all killings are wicked; only killing the innocent is wicked. But killing that is just is reserved to the magistrates alone (AC 6.2).

MAJORITY: In case of factious opposition, the selection of a bishop should be done by a majority of votes of the bishops of the province (c. 6 I; c. 19 Antioch).

The presbyter who confesses that before ordination he committed a carnal sin may remain in the priesthood, but he shall not make oblation, though he retains the honor of the office on account of his zeal and repentance, for "the majority have affirmed that ordination blots out other kinds of sins."[179] But if he does not confess and

179. C. 9 Neocaesarea refers to carnal sin committed before ordination and confessed afterward by the priest. Because of his willingness to confess and to accept punishment, the priest loses the right to perform sacraments but keeps the honor of the office. The difficulty of interpreting this canon remains in the statement that "ordination blots out other kind of sins": without proper context and without an exemplification of sins, some commentators have gone so far as to say that ordination wipes out sins, while others believe that this reference is extraneous to the canon and that through ordination no sins are forgiven. A middle-of-the-road interpretation is that some minor sins are forgiven, sins that occur in relationships between a man and a woman (such as holding hands, kissing a woman). The premise of c. 9 Neocaesarea (carnal sin committed by a man who is eventually ordained) would be avoided if the requirements of c. 9 I were scrupulously observed and the sanction of c. 61 Ap was enforced. In fact, c. 9 Neocaesarea closes a loophole involving the failure of spiritual fathers, bishops, priests, deacons, and laity alike in screening and examining candidates for the priesthood; now that they are already in orders and as priests they have acted faithfully and zealously, the Church has to deal with the new situation and also make up (through *economia*) for its failing. In this context, c. 9 Neocaesarea offers three solutions: (1) carnal sin was confessed to the spiritual father or the bishop, and that leads to the deposition from sacramental duties but with the honor of the position and forgiveness of other (noncarnal) related sins; (2) carnal sin was discovered and trustworthy witnesses brought evidence, whereupon this sin is punished with deposition and return to lay status; and (3) no carnal sin was committed before ordination but rather, other small (noncarnal) related sins; those not confessed by the priest and not proved by anyone else remain as a heavy yoke on the conscience of the priest (he will decide whether he should abstain from sacramental duties).

cannot be openly convicted, the decision to abstain from making oblation shall depend on himself (c. 9 Neocaesarea).

MALICE: Bishops should not excommunicate people out of malice; if such a thing happens, the person should appeal to the provincial synod (c. 5 I).

MALVERSATION: See MISAPPROPRIATION.

MANSLAUGHTER: A clergyman who commits manslaughter should be deposed, and for the same crime a layperson should be excommunicated (c. 65 Ap).

Whoever kills another with a sword or hurls an axe at his own wife and kills her is guilty of willful murder—but not one who throws a stone at a dog and accidentally kills a man, or who corrects another with a rod or scourge in order to reform him, or who kills a man in his own defense when he only designed to hurt him. This second type of murder is called unwillful (involuntary) murder, or manslaughter. Those who take medicine to procure abortion and those who kill on the highways commit willful murder. Willful murder is canonized with twenty years; involuntary murder[180] with ten years (c. 8 Basil the Great).

MANUMISSION: Manumission, the legal instrument of Roman law by which a slave was freed, was necessary before a slave could be ordained (c. 82 Ap). With the approval of the emperor, manumission may be celebrated in church, following the example of the bishops of Italy (c. 64 Carthage).

MARCELLIANS: The heresy of the Marcellians is anathematized (c. 1 II).

MARRIAGE (GENERAL): The scriptural roots of the sacrament of marriage can be found in 1 Corinthians 7:4 and Epheshians 5:23. The sacrament of marriage is instituted by God (c. 51 Ap; c. 21 Gangra).

A clergyman who abstains from marriage not because of religious calling but because he considers marriage a sin should be deposed and cast out of the Church (c. 51 Ap). Likewise, a person who condemns marriage should be anathema (c. 1, 4, 9, 10 and 14 Gangra).

180. Nowadays, the legal (secular) term is manslaughter, but here we are using 'involuntary murder' to keep it consistent with the canons.

Marriage after ordination is not possible; those who entered into the clergy as celibates may not marry unless they are readers or singers. Those who break those rules should be deposed (c. 26 Ap; c. 3, 6, 13 VI; c. 11 Neocaesarea).

The Council of Trullo (692) decreed that bishops may be no longer be married; those who disregard this rule should be deposed (c. 12 VI).

Deacons who made known to the bishop their intention to marry could receive the sacrament of marriage after ordination (c. 10 Ancyra). This canon was abrogated by c. 6 VI, which bans marriage after ordination for subdeacons, deacons, and priests.

Marriage between Orthodox and heretics or pagans is not allowed; those who disregard this disposition should be excommunicated. If a heterodox, or unbeliever, has contracted a lawful marriage with an Orthodox, let them not be separated, for according to St. Paul, "the unbelieving husband is consecrated through his wife, and the unbelieving wife is consecrated through her husband." (1 Cor. 7:14; c. 72 VI; c. 14 IV; c. 10 Laodicea; c. 23 John the Faster).

Marriage between an Orthodox and a heretic is allowed only when the heretic promises to become a Christian (c. 31 Laodicea; c. 14 IV).

One who had a concubine or married a widow, a divorced woman, or a harlot may not become clergy (c. 17, 18 Ap; c. 3 VI).

One who married (consecutively) two sisters or married a niece may not be a clergyman (c. 19 Ap; c. 5 Theophilos of Alexandria).

Deaconesses who marry should be declared anathema, along with those who marry them (c. 15 IV).

Marriage ceremonies are not allowed during Great Lent (c. 52 Laodicea).

One who marries the betrothed of another should be treated as an adulterer (c. 98 VI; c. 22 John the Faster).

A man ought not to marry (successively) two sisters, nor a woman two brothers, and a man may not marry his brother's wife; in all these cases, the person may not be released from the sin unless he or she terminates the unlawful marriage (c. 23, 78, 87 Basil the Great; c. 11 Timothy of Alexandria).

A person who has entered into an unlawful marriage through ignorance and eventually repented and separated should be treated with leniency (c. 13 Theophilos of Alexandria).[181]

A presbyter who through ignorance entered into an illegal marriage must abstain from any sacerdotal work; if his marriage is dissolved, he may retain the rank of presbyter and is allowed to sit with the presbyters (c. 26 VI; c. 27 Basil the Great). See also IMPEDIMENTS TO MARRIAGE; DIVORCE.

A husband and wife should forgo the conjugal act on Saturdays and on Sundays, for on those days the spiritual sacrifice is offered to the Lord (c. 13 Timothy of Alexandria).

A husband and wife should decide together when they should distance themselves from each another in order to devote time to prayer and when to come together, as the Apostle Paul taught (1 Cor. 7:5; c. 3 Dionysios of Alexandria).

Married deacons and priests are not to refrain from conjugal acts, except on days when they celebrate Divine Liturgy (EL 419). A husband and wife are not restrained in the conjugal act, with the exception of times when they prepare for prayer and Holy Communion (EL 420).

MARRIAGE (LEGAL): Generally, Holy Scriptures and the canons ban marriage between those related by blood kinship (consanguinity) and spiritual kinship (affinity) up to the fourth degree (Lev. 18; c. 54 VI; c. 87 Basil the Great) without making a statement about the fifth, sixth, or seventh degrees. The tradition of the Church, the Fathers, and the canonical prescriptions ban marriages between relatives of the fifth degree and sometimes all the way to the seventh degree. A marriage in this last category may be possible with the approval of the hierarch through the blessing of *economia* when a greater wrong could be replaced by a lesser one.

The faithful may not enter into so-called prohibited marriages, which are marriages between close relatives (of consanguinity or affinity) and are considered impediments to marriage. The *Yearbook* of the Greek Orthodox Archdiocese of America lists prohibited marriages.[182] See also MARRIAGES PROHIBITED.

181. In other collections this canon appears as part of the letter "of the same to Agatho the Bishop."

182. See Greek Orthodox Archdiocese of America, *2013 Yearbook* (New York: Greek Orthodox Archdiocese of America, 2009), 268.

The preparation for betrothal and marriage is the concern of the priest, who must ensure that Church and state conditions are met: (1) both parties are freeling entering into betrothal/marriage; (2) both parties meet the legal age requirements of the state in which they live;[183] (3) neither party is married already; (4) the man is not a monastic or ordained clergy (c. 26 Ap; c. 16 IV; c. 44 VII; c. 1 Neocaesarea; c. 3, 6, 18, 42 Basil the Great); and (5) the two parties are not related by blood or affinity.[184]

Betrothal in the Church has the power and the consequences of a Church marriage (c. 22, 69 Basil the Great; c. 22 John the Faster; c. 98 VI).

Breaking a Church engagement, or betrothal, makes the eventual marriage of either party a second marriage.[185] However, if the betrothal was not sanctified in church and is broken because of lack of parental consent, issues with age, heresy, sickness, and so on, the betrothal is not taken into consideration by the Church, and the parties may enter into subsequent betrothal and marriage (c. 10, 31 Laodicea; c. 38, 39, 40, 42 Basil the Great; c. 14 IV; c. 72 VI).

In case of elopement, if it was done with the consent of the fiancée, proven by evidence before and after eloping, and if the parents agreed, the Church will approve the eventual betrothal and marriage based on the consent of the parties (c. 92 VI; c. 67 Ap; c. 27 Carthage; c. 22, 30 Basil the Great).

Readers and singers are forbidden to marry heterodox people; but if they are already married and have children baptized among the heretics, they should bring them into the communion of the catholic Church. If their children are not baptized, they should be

183. In most states of the United States of America, the legal age for marriage is eighteen for males and sixteen for females when there is parental consent, and twenty-one for males and eighteen for females when there is no parental consent. However, there are some variations from these general limits, making knowledge of the particular state's law a necessity.

184. In every state of the United States of America, it is illegal for a man to marry his sister, half-sister, mother, daughter, granddaughter, grandmother, great-grandmother, aunt, or niece. A woman may not marry her brother, half-brother, father, son, grandson, grandfather, great-grandfather, uncle, or nephew. Many states also prohibit marriages between more distant relatives, such as first cousins, first cousins once removed, double cousins, and so on.

185. That is why nowadays almost all betrothals in the Orthodox Church are performed in the same service as the marriage proper—that is, the crowning. Moreover, breaking the betrothal leads to the need for an ecclesiastical divorce.

baptized and eventually marry in the Orthodox Church; anyone who transgresses this decree should be subject to canonical censure (c. 14 IV).

Those who in the name of marriage forcibly carry off (elope with) women and those who in any way assist them—if they are clerics they should lose their rank; if they are laypeople, they shall be anathematized (c. 27 IV; c. 92 VI).

He who marries his cousin, or a father and a son who marry a mother and a daughter, or a father and a son who marry two girls who are sisters, or a mother and daughter who marry two brothers, or two brothers who marry two sisters fall under the canon of seven years excommunication, provided that they openly separate from the unlawful union (c. 54 VI).

If the wife of a man who disappeared cohabits with another before she is assured of the death of her husband, she commits adultery; the same for the wife of a missing soldier, although the circumstances offer some excuse. If a soldier returns after a long time and finds his wife married to another man, if he so wishes he may take her back, pardon being extended to her and to the second husband (c. 93 VI).

He who marries a woman who is betrothed to another man who is still alive is to be considered an adulterer (c. 98 VI).

The ravisher of a betrothed virgin must restore her to the man to whom she is betrothed (c. 11 Ancyra).

The one who through seduction corrupts the sister of his betrothed is to be penanced with ten years before being received among the costanders (c. 25 Ancyra).

A woman who has married two brothers should be cast out of the Church (i.e., excommunicated) until the hour of death; however, at the hour of death she may be received to penance (c. 2 Neocaesarea).

The sons of a clergymen are not to be joined in marriage with heretics (c. 21 Carthage).

Children of communicants should not be given in marriage to heretics (c. 10 Laodicea) unless such heretics promise to become Christians (c. 31 Laodicea).

Those who have stolen virgins and did not restore them before defloration should be treated as fornicators (five years of excommunication); the deflowered virgins should be restored to their guardians, who may allow the deflowered virgins to marry their raptors. If the stolen virgins who were deflowered were previously engaged, they should be restored to the fiancé, who may marry them, and if not, they should be restored to their guardians. In both situations the raptors will meet their punishment (secular and ecclesiastical) (c. 22 Basil the Great).

A man is not allowed to marry two sisters, nor a woman to marry two brothers;[186] he who marries his brother's wife should not be admitted to communion until he dismisses her (c. 23 Basil the Great).

He who marries a woman whom he has corrupted shall be under penance for four years, but he may retain her as wife (c. 25 Basil the Great).

Fornication is neither marriage nor the beginning of marriage; if it is possible the two should separate; if they insist on staying together, they should be penanced for fornication (seven years of excommunication), and then they may be allowed to stay together for fear of what is worse (c. 26 Basil the Great).

There is no old canon about the stealing of young women, but those who steal them and their accomplices should be excommunicated for three years. As for the girls stolen with their own consent, no crime is committed except if there is lewdness in the case. A widow stolen is at her own discretion, and if she only pretends she was stolen, her claim should be ignored (c. 30 Basil the Great).

If a virgin runs after and, with the consent of her parents, eventually marries the man who corrupted her, she commits fornication; it seems that marriage heals the situation, but she is to be excommunicated for three years (c. 38 Basil the Great).[187]

186. See c. 87 Basil the Great for explanations of many aspects of these situations. The reader should understand that the canon talks about successive marriage with two brothers or sisters; if the marriage will be simultaneously, that will be bigamy. Also, the reader may be aware that in the secular law of many countries, this type of marriage is not banned.

187. Basil the Great answered a question of Amphilochius, Bishop of Iconium, concerning which norms should be applied in the matter of marriage, those of Roman (secular) law or those of Christian law. The case in point refers to the consent of the parents (or guardians or masters) to the marriage of their children or slaves, consent required both by the law of the Roman state and by the Christian Church. Basil emphatically stated that marriage without the consent of the parents is not marriage but fornication. If consent is eventually manifested afterward, the woman receives three years of excommunication; if consent is not obtained, the union should be dissolved as an illegal marriage. For more insight into this matter, see c. 40, 42 Basil the Great.

A slave woman who gives herself up to the will of a man without the consent of the master or of her father commits fornication, but if she does the same with the consent of the master or of her father, that is marriage; for the pacts of those who are under the power or tutelage of others are null (c. 40 Basil the Great).

A widow, being at her own discretion, may marry to whom she will; "a wife is bound to her husband as long as he lives. If the husband dies, she is to be married to whom she wishes, only in the Lord" (1 Cor. 7:39; c. 41 Basil the Great).

If slaves marry without the consent of their masters, or if children marry without the consent of their fathers, it is not matrimony but fornication until they ratify it by consenting (c. 42 Basil the Great).

She who marries a man who was deserted for a while by his wife but afterward is dismissed upon the return of the man's former wife commits fornication through ignorance; she shall not be prohibited to marry, but it is better that she does not marry (c. 46 Basil the Great).

Those people who are not allowed by the Church to marry because of close kinship or affinity relations and who eventually enter into marriage on their will, despite the Church's prohibition, should be treated as adulterers, penanced with excommunication for fifteen years (c. 68 Basil the Great).[188]

The priest who is called to celebrate an incestuous marriage, one between individuals of prohibited degrees of parentage, should decline to perform it, as he must not be partaker of other men's sins (c. 11 Timothy of Alexandria).

The marriage between a man and the betrothed woman of another is canonized as adultery (cf. c. 98 VI; c. 22 John the Faster).

If a man marries a heretic woman, their marriage is void and should be dissolved; if they persist in it, they should be excommunicated (c. 23 John the Faster).

If someone enters into a sexual relationship with the mother of his betrothed or with any other relative of his future wife, that marriage should not take place. If these sexual relationships take place after the marriage, then the marriage remains, and the guilty parties should be canonized with twelve years, though the term may be reduced (through *economia*) if they fast, pray, and give alms (EL 373).

188. C. 54 VI (Sixth Ecumenical Council) shows the degree of parentage disallows marriage in the Church.

The parents of those who marry heterodox should be canonized with five years, and the priest should be suspended for three years (EL 374).

MARRIAGE (SECOND): A second marriage is admitted (c. 87 Basil the Great). The spouses should be under penance a year or two after their marriage (c. 4 Basil the Great).

Those who have freely and lawfully joined in second marriages should be given Holy Communion after a short time spent in prayer and fasting; as for those who have entered into secret marriages or cohabit, Communion should be denied (c. 1 Laodicea).

One who married twice after his baptism may not become a clergyman (c. 17 Ap; c. 3 VI; c. 12 Basil the Great).

For those who enter into more than one marriage, the appointed time of penance is well known (one to two years), but their manner of living and faith should shorten the time (*economia*; c. 3 Neocesarea).

A presbyter should not go to the reception following a second marriage (c. 7 Neocaesarea).

If a man's wife is possessed to such a degree that she must be restrained with irons, and if the man cannot contain himself, is he allowed to marry another? The answer is that he will commit adultery (c. 15 Timothy of Alexandria).

According to c. 4 Basil the Great, those who marry a second time should be canonized with one year, though others require two years of penance; those who marry a third time should be penanced with three to four years of excommunication, but five years of excommunication may be given to those who marry three times (c. 19 John the Faster).

A person entering a second marriage should be not blessed with crowns but, on the contrary, is even required to abstain from Holy Communion for two years (c. 2 Nicephorus the Confessor; Trebnik, 181).[189]

189. In the early Church, a second marriage was not blessed by the Church, but once civil society accepted it, the Church painfully tolerated second marriage and imposed penances (no crowning, abstention from Holy Communion for two years, priest not allowed to participate in the celebration after the ceremony). At the end of the eleventh century and the beginning of the twelfth, the Byzantine Church deviated from that rigorous practice and allowed crowning at the second marriage, as the Metropolitan of Heraclea, Nicetas, answered in a letter to Bishop Constantine. Nikodim Milash noticed

At a second marriage the priest should perform the service, but he should not go to the reception (EL 387).

One who is young and whose wife dies, and who cannot stay celibate as the Apostle Paul did, may take a second wife; but if he is old, he should be penanced three years and he should do twenty-four prostrations a day (EL 388).

MARRIAGE (THIRD): A third marriage is not absolutely condemned by the Church (c. 50 Basil the Great); it is the last which may be celebrated in the Church.[190]A third marriage is painfully tolerated because it is better than unleashed fornication. The spouses should be under penance for three to four years (c. 4 Basil the Great).

For a third marriage there is no law, and consequently such marriages are not approved; they are considered disgraceful to the Church but not absolutely condemned, as being better than open fornication (c. 50 Basil the Great).

Those who enter into a third marriage should be canonized with four years of excommunication and should do sixty-six prostrations daily, as this is fornication (EL 392).

A man who is in his forties may enter into a third marriage; if he has already children he should not marry, but if he marries for a third time, he should be canonized with five years. A man in thirties

that deviation in Euchologion to mega (Venice: 1891), 253. The Slavic euchologion quotes both c. 2 Nicephorus the Confessor and the letter of Metropolitan Nicetas (see Trebnik, 181).

190. Basil the Great's teachings about multiple marriages were widely accepted by secular society. The Roman law of the time (Leon the Philosopher, Prochiron 4.25, Novel 90) stated this understanding. However, the same emperor Leon eventually contracted a fourth marriage. In the course of a few years, Leon lost two wives; then he married for the third time, and his third wife also died. Not having an heir to the throne, the emperor wished to marry a woman with whom he had an illegitimate son. Nicholas I, the Patriarch of Constantinople, did not approve the fourth marriage, but the emperor managed to have a priest conduct his fourth marriage. The emperor was excommunicated and the priest deposed. The emperor exiled the patriarch and staffed the synod with people sympathetic to his situation. Patriarch Euthimios appealed to Pope Sergius III of Rome, who obtained some concessions from the emperor before declaring Leon's fourth marriage legal. This situation precipitated great tumult and even violence in society at the time. By 912 Leon had died, and his heir, Alexander, convened a synod that reinstated Patriarch Nicholas I. In 920 a synod condemned the decisions of the 908 synod and decided, among other things, that a fourth marriage should be completely banned. If anyone dares to enter into one, he or she is not only excommunicated but not allowed to enter the church as long as the illegal union lasts.

who enters into a third marriage, with children or without, is to be canonized: three years for the one without children and four years for the one with children (EL 395).

A person entering a third marriage should not be crowned; on the contrary, he or she is required to abstain from Holy Communion for five years (c. 2 Nicephorus the Confessor).

MARRIAGE (FOURTH): A fourth marriage is banned in the Church (c. 4 Basil the Great). Basil considered fourth and subsequent marriages polygamy.[191] Such marriage is a more serious offense than fornication and shows the beastly rather than human nature of an individual. People who have entered a fourth or a subsequent marriage should be canonized with four years: one year as mourners and three as prostrators (c. 80 Basil the Great).[192]

Those who enter into a fourth marriage commit fornication and anger God; they should be canonized with eight years, and they should do one hundred prostrations a day (EL 393).

A fourth marriage is an outlawed marriage, and whoever dares to enter into one should be excommunicated and cast out of the Church; unless he or she separates from the fourth spouse, no forgiveness from the Church should be offered (EL 396).

A fourth wedding is not marriage; it is an animally and defiled union outside the Christian faith; the old laws declared that the children born from such unions are bastards and they were not allowed to inherit from their parents (EL 397).

A priest who out of ignorance celebrates a fourth marriage or one which because of blood and spiritual relations should not be allowed, that priest should be deposed (i.e., defrocked; EL 398; Trebnik).

MARRIAGE, OF A CLERGYMAN: The marriage of a clergyman is considered legal from the point of view of the Church if it is done only once and only before ordination. Those who wish to

191. Nowadays, *polygamy* refers to the simultaneous marriage of a man to more than one wife. Similarly, the simultaneous marriage of a woman to more than one man is *polyandry.* In contrast, the early Church and the Fathers considered multiple marriages (even after the death of a spouse or divorce) polygamy or polyandry.

192. Because the canon mentions just the first two steps, Zonaras (in *Rudder*: 837-838, footnote 1) and Milash (*Canons*, 2.2:122) believed that the fourth step, listening, could be extended as long as the bishop decided; only after that were they allowed to receive Holy Communion

be ordained should understand that ordination—marriage to the Church—is the highest sacrament that they can receive in life. Remarriage after the death of the wife or after divorce is considered by many Fathers simple fornication; those who commit such a sin will not see the Kingdom of God (1 Cor. 6:9–10; Gal. 5:19–21; Eph. 5:3–5). A clergyman is supposed to be above reproach, a husband of one wife, who gives himself fully to God (1 Tim. 3:2, 12; Titus 1:6).

Of those who have been admitted to the clergy unmarried, readers and singers only may, if they will, marry (c. 26 Ap).

He who has been twice married after baptism or who has had a concubine may not become a bishop, presbyter, deacon, or any other of the sacerdotal list (c. 17 Ap).

If a presbyter marries, let him be removed from his order (i.e., be defrocked; c. 1 Neocaesarea).

Let it not be counted a marriage when one belonging to the canon (i.e., clergyman, deaconess, monk, nun) commits fornication, but let him or her be forced to part (c. 6 Basil the Great).

He who has married two sisters or a niece may not become a clergyman (c. 19 Ap).

Before January 15, 691, those clergymen who have been married twice, if they repented or their wives died, should cease from all priestly ministries; but they will keep the honor of their seat. Those who have been married to one wife who was a widow or entered into marriage after ordination, after a period of censure may be restored to their proper rank, though never advancing to any further rank, and their unlawful marriage should be openly dissolved. After January 15, 691, the Holy Synod (VI, Trullo) declares that he who has been joined in two marriages after his baptism or has had a concubine may not be bishop, presbyter, or deacon, or at all on the sacerdotal list; in like manner, he who has taken a widow, a divorced woman, a harlot, a slave, or an actress may not be a bishop, a presbyter, a deacon, or any other rank on the sacerdotal list (c. 3 VI).[193]

A deacon who has declared his intention to marry at his ordination is allowed to marry after ordination; but if he was silent on this

193. The text of the canon implies that up to the year 691, bishops could be married men, even though one hundred years earlier, the emperor Justinian had not allowed married bishops.

matter and afterward proceeds to marry, he should be stricken from the diaconate[194] (c. 10 Ancyra).

Those who advanced to orders may not enter marriage, with the exception of readers and singers; if they dare to do so, they should be deposed. If any of those who become clergy wishes to be joined to a wife in lawful marriage before he is ordained subdeacon, deacon, or presbyter, let it be done (c. 6 VI).

A priest who through ignorance contracted an illegal marriage (marriage afflicted by impediments), loses the right to perform divine services (i.e., he is deposed); if he separates, then he may keep the dignity of priesthood (c. 26 VI; c. 27 Basil the Great).

The Pan-Orthodox Conference in Constantinople (May 10–June 8, 1923) discussed the marriage of widowed priests and deacons in the historical context of the aftermath of the First World War; not being ecumenical and not reaching unanimity of view, the conference left to the discretion of the eparchial synods or local bishops whether to allow the marriage of widowed clergymen.

MARRIAGE, OF A MONASTIC: The marriage of a monastic may not be admitted under any circumstances, as the monastic took vows of celibacy, vows which are a cultic requirement.

Underage girls (younger than sixteen or seventeen) brought to the monastery and who took vows of virginity before this age should be canonized with fifteen years of excommunication if they marry (c. 18 Basil the Great; c. 19 Ancyra).

A monastic (either monk or nun) is not allowed to marry; if any are found to have done this, let them be excommunicated (c. 16 IV).

A monk convicted of fornication or who takes a wife is to be subjected to the penalties of fornicators, according to the canons (c. 44 VI).

If ordained monks marry, they are to be deposed and never allowed to perform divine services (c. 25 Ap; c. 3, 6, 26 VI; c. 8, 9, 10 Neocaesarea; c. 3, 44, 51, 70 Basil the Great).

A deaconess is not to be ordained under forty years of age nor without examination, and she is forbidden to marry. If she gives

194. C. 10 Ancyra was abrogated by c. 6 VI, and thus deacons cannot marry after ordination.

herself in marriage, she shall be anathematized, along with the man united with her (c. 15 IV).

The monk who commits fornication or takes a wife should be subjected to penalties for fornication (c. 44 VI).

Those who profess virginity and eventually disregard their vows and get married should be canonized as those who enter a second marriage—that is, as digamists—with one year of excommunication (c. 44 Carthage; c. 15, 16 I; c. 1 Neocesarea); however, Basil the Great believed that if they were mature at the time of vows, they should be penanced more severely than widows professing continence or adulterers (c. 18 Basil the Great).

When men join the ranks of monastics, they tacitly make a celibacy promise; nevertheless, they should be interrogated, too, and a profession should be demanded of them that if they adopt a carnal life, they may be punished as fornicators (c. 19 Basil the Great).

Women professing virginity, though they married while they were heretics or catechumens, are pardoned by baptism. What is done by people as catechumens is never laid to their charge (c. 20 Basil the Great).

MARRIAGES, PROHIBITED: The Greek Orthodox Archdiocese of America lists the following types of relationships as prohibited marriages: (1) parents with their own children, grandchildren, great-grandchildren, (2) godchildren of the same godparents, (3) brothers-in-law and sisters-in-law, (4) uncles and aunts with nieces and nephews, (5) first cousins with each other, (6) foster parents with foster children, or foster children with the children of their foster parents (7) godparents with godchildren, and (8) godparents with the parents of their godchildren.[195]

A more in-depth analysis of this problem reveals other prohibitions and their canonical sources.

Virgins dedicated to God, monastics (both monks and nuns), and those in the clergy who are celibates may not marry; if they do they should be excommunicated, though the bishop may exercise *economia* (c. 16 IV; c. 6 Basil the Great).

The godfather at a baptism may not marry the widowed mother of his godchild; he should desist from this unlawful marriage and then be subjected to the penalties for fornicators (c. 53 VI).

195. Greek Orthodox Archdiocese of America, *2013 Yearbook*, 268.

Among prohibited marriages are those of a son with the daughter of his father, a father or son with a mother and daughter, a father and son with two girls who are sisters, a mother and daughter with two brothers, and two brothers with two sisters. If those involved openly separate from these unlawful unions, they will receive a canon of seven years (c. 54 VI).[196]

A woman who marries (successively) two brothers should be excommunicated until her death (c. 2 Neocaesarea). St. Basil prescribed seven years excommunication for the same (c. 78 Basil the Great).

A man ought not to marry two sisters, nor a woman two brothers; also, he who marries his brother's wife should not be admitted to communion until he dismisses her (c. 23 Basil the Great).

Incest with a sister is punishable as murder (twenty years of excommunication; c. 67 Basil the Great).

Marriage between relatives is prohibited; that marriage should be dissolved and the parties should receive the canon for adulterers (c. 68 Basil the Great).

He who commits incest with a half-sister shall be a mourner three years, a hearer three years, and a costander two years (c. 75 Basil the Great).

Marriage with one's mother-in-law is prohibited and canonized (c. 79 Basil the Great).

The Fathers did not speak about polygamy, as they have seen it as being beastly and a thing against nature; for St. Basil, polygamy was worse than fornication and to be canonized with one year as a mourner and three years as a prostrator (c. 80 Basil the Great).

As a man may not marry his sister, in the same way he may not marry his wife's relatives, including his mother-in-law, his granddaughter, or his sister-in-law (c. 87 Basil the Great).

MARRIED, THE: Those who live a virgin life for the Lord's sake are not allowed to insult the married; if they do so, let them be anathema (c. 10 Gangra).

MARTYRIES: Martyries were churches or chapels built over martyrs' graves. Later on, when fewer people were martyred, relics of the martyrs, fragments of their remains, were taken to different locations and placed in the altars of newly built churches.

196. These marriages are also banned in the Old Testament (Lev. 18:6).

The clergy of martyries remain under the authority of the local bishop. If any contravenes, let him be subject to canonical censure; be monks or people who do so should be excommunicated (c. 8 IV).

A clergyman who is lawfully transferred to another parish is not allowed to meddle with the martyries of his former ministry; if he dares to do so, he should be degraded from his rank (c. 10 IV).

Communicants are not allowed to attend the martyries of the heretics; if they do so, they should be excommunicated for a time, but if they repent and confess, they should be received back (c. 9 Laodicea).

No candidate should be ordained at large; however, he may be ordained in the name of a parish from the city, village, martyry, or monastery; ordaining without charge makes the ordination inoperative and consequently, the ordained will be not allowed to officiate (c. 6 IV).[197]

MARTYRS[198]**:** People who condemn or abhor services in honor of the martyrs should be anathematized (c. 20 Gangra). No Christian should forsake the martyrs and turn to false martyrs, for they are alien to God; those who go after those false martyrs should be anathema (c. 34 Laodicea).

The commemorations of the martyrs that fall on weekdays of Great Lent should be celebrated on Sundays or Saturdays (c. 51 Laodicea).

Christians are not allowed to celebrate the martyrs of the heretics or those who formerly were heretics (c. 34 Laodicea).

MASONS: See FREEMASONRY.

197. Hefele underscored that the ordinations at large or absolute ordinations (*ordinationes absolutae*) are valid but illicit—that is, the ordained may keep his rank but is not allowed to officiate (See, Hefele, *Histoire*, 2.2:788). Further, in the same canon, the word cheirotonia is used interchangeably with the word *cheirothesia*, which shows that by the year 451 not much semantic difference existed between the two concepts.

198. There is no canon which defines the term 'martyr', as the Tradition of the early Church already established who were the martyrs and made known their names in the lists of the martyrs, first local and then universal ones. The two main parts of the Christian Church (Greek Orthodox and Roman Catholic) established lists of the martyrs, with their days of commemoration and their deeds [included in so called martyrologies]; eventually the lists were augmented with the names of the Apostles, confessors, wonderworkers, hierarchs, teachers, etc. and criteria and rules for canonization were issued.

MASTER: A slave may not be ordained against the will of his master (c. 82 Ap). A slave may not be received as a monk against the will of his master (c. 4 IV).

Those who teach a slave to despise his master and to run away from his service should be anathematized (c. 3 Gangra).

MASTURBATION: A Christian who commits masturbation should be canonized with forty days of excommunication, eating dry food, and doing one hundred prostrations each day (c. 10 John the Faster).

If masturbation was committed by two persons (one to another), the *epitimia* should be double—that is, eighty days of excommunication, eating dry food, and doing two hundred prostrations each day (c. 11 John the Faster).

A clergyman who falls into the commission of masturbation, before or after ordination, should receive the appropriate *epitimia*. But if after ordination he relapsed two or three times, let him be demoted from priest to reader (c. 12 John the Faster).

MATHEMATICIANS: The clergymen are not allowed to be mathematicians (c. 36 Laodicea).[199]

A clergyman who is a magician, enchanter, mathematician, or astrologer or who believes in and carries amulets should be cast out of the Church (c. 36 Laodicea; c. 72 Basil the Great).

MAUNDY THURSDAY (HOLY THURSDAY): Maundy Thursday is the Thursday of Holy Week, the final week of Great Lent.

Candidates for baptism must learn by heart the creed and recite it to the bishop or to the presbyters on Maundy Thursday (c. 46 Laodicea).

The faithful should fast during the whole of Great Lent by eating dry food, and they may not break the fast on Holy Thursday (c. 50 Laodicea).

Offerings for oblation should be brought only by people who have fasted; however, after the offering (liturgy) of Holy Thursday, the fast should not be broken, but should continue until after the Resurrection (c. 29 VI).

199. In his commentary to this canon, Balsamon wrote, "Mathematicians are they who hold the opinion that the celestial bodies rule the universe, and that the earthly things are ruled by their influence."

If the Annunciation falls on Holy Thursday, the faithful may receive release from fasting from fish and wine (c. 5 Nicephorus the Confessor).

Holy Myrrh is prepared on Holy Thursday by the patriarch, assisted by the synod of bishops of that church).

In the liturgy of Holy Thursday, the priest should extract two Lambs and lay them on the paten and carry them at the Great Entrance, saying the prayer of transformation on both of them. After the communion of the priests, the second Lamb should be gently dipped in the Blood of the chalice and placed in the ark, where it will remain until the matins of the following Tuesday. After the matins, the priest should take the sanctified Lamb, fragment it, and dry it under gentle heat in such a way as not to burn it or to cause a change in color; then the fragments should be put into the box of the *artophorium* and used as emergency communion (EL 1263).

MAXIMUS THE CYNIC: Maximus the Cynic, who caused serious disturbances in Constantinople,[200] "never was and is not now a bishop." Those who had been ordained by him were declared not clergy, and all their ministerial and sacramental acts were declared invalid because "all which has been done concerning him or by him, is declared to be invalid" (c. 4 II).

MEAT: See FLESH/MEAT.

MEATS: Those who have partaken at a heathen feast but who have brought their own meats (i.e., food) may be received after they have been prostrators for two years (c. 7 Ancyra).

Only dry meats (i.e., food) are allowed during Great Lent (c. 50 Laodicea).[201]

MEDDLING: A bishop should not meddle in the affairs (e.g., ordination, assignation, administration) of another diocese unless invited by the bishop of that diocese. Meddling is sanctioned with nullity of the ministerial acts and the deposition of the perpetrator (c. 13, 22 Antioch; c. 2 II; c. 20 VI; c. 3, 11 Sardica); c. 19 Ancyra requires excommunication.

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200. For more information about Maximus the Cynic, see the last part of the entry DEPOSITION (HOW IT IS DONE).

201. In some versions, the canon refers to "dry meats" but in another translation this is rendered "dry food." I believe that the latter is the more accurate translation.

METROPOLIS: Originally, Metropolis was a large and very important city from which an ecclesiastical administrative unit called 'metropolis' developed. Nowadays, a metropolis is a large area which includes a number of dioceses.

Each metropolis is to have its dignity assured[202] (c. 7 I).

The erection of a new metropolis by dividing the province in two by means of imperial rescripts is not allowed; a bishop who attempts to do that shall be degraded. But in cities that already were honored with the name *metropolis*, the bishop in charge shall take the bare title, all metropolitan rights being reserved for the true metropolis (c. 12 IV).

METROPOLITAN: The metropolitan is the first among the bishops of his province; they do nothing of consequence without his consent (c. 34 Ap; c. 9 Antioch). The bishops of every nation should have a head (c. 34 Ap); there is to be only one metropolitan in a province (c. 12 IV).

A metropolitan convenes the synod in his province at least twice a year and presides over it (c. 20 Antioch). The metropolitan shall approve the place where the provincial synod meets twice a year (c. 19 IV).

A metropolitan supervises every aspect of the life of the Church in his province (c. 34 Ap; c. 9 Antioch).

A metropolitan is not supposed to do things "without the consent of all; for so there will be unanimity, and God will be glorified through the Lord in the Holy Spirit" (c. 34 Ap; c. 9 Antioch).

A metropolitan may not extend his jurisdiction outside of his province and may not make important decisions without the consent of his bishops (c. 34 Ap; c. 2 II; c. 8 III; c. 9 Antioch).

A metropolitan is required to fill vacancies that may appear in the dioceses, normally within three months, but in case of necessity the term may be prolonged (c. 25 IV).

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202. C.7 I established the privilege of honor of the Metropolis of Jerusalem, as the Church recognized the importance of the city of Jerusalem, a city on which much destruction was inflicted: first it was destroyed by Emperor Titus (70 AD), then it was rebuilt as a Roman city called Aelia Capitolina and then became a dependency of the larger and more important city of Caesarea. Eventually, other cities claimed similar privileges of honor and thus some harsh debates stirred the Church. The canon put an end to those debates by stating that once a city received a privilege of honor (dignity) it cannot be taken away.

When a bishop is elected, the metropolitan presides at the synod and ratifies the election; along with bishops from the metropolis, he ordains the newly elected bishop (c. 4 I; c. 28 IV; c. 19 Antioch).

The metropolitan and his provincial bishops must concur in the appointment of a bishop (c. 12 Laodicea).

The metropolitan must consent before a petition from the clergymen of his Metropolis should be sent to the emperor (c. 11 Antioch).

In a trial of a bishop, the metropolitan may call in some of the bishops of the neighboring provinces if his own bishops cannot agree (c. 14 Antioch).

The metropolitan and his provincial bishops may jointly give a bishop from another province a written invitation to ordain clergymen in their absence (c. 13 Antioch).

The territorial division of the Church may not be changed unilaterally by the civil authority; if a city is divided and a new metropolis is created, the new metropolis will have the name and the honor, but the rights remains with the old one and with its metropolitan (c. 12 IV).

A metropolitan should visit every diocese in an annual synod (c. 52 Carthage).

If a bishop does not name an *economos* to the diocese, the metropolitan shall do that for him; if the metropolitan does not elect an *economos* for the metropolis, the patriarch shall do so (c. 11 VII).

The Metropolitan of Carthage may ordain clergymen for any of his parishes and in case of necessity, transfer them from one parish to another (c. 54 Carthage).

If a metropolitan forsakes his synod and the Church's teaching and joins the assembly of the apostates or adopts heretical doctrines, he should be judged by his bishops and the metropolitans from neighboring provinces (c. 1 III).

Complaints against a metropolitan are to be brought before the exarch of the diocese or the throne of Constantinople (c. 9, 17 IV).

A bishop who does not commemorate his metropolitan in the divine services should be deposed (c. 14 Constantinople I–II). Likewise, a metropolitan who does not commemorate his patriarch in the divine services should be deposed (c. 15 Constantinople I–II).

MILITARY SERVICE: If a bishop, presbyter, or deacon serves in the army and wishes to retain both the Roman magistracy and the priestly office, let him be deposed (c. 83 Ap).

Clergy and monks shall accept neither a military charge nor any secular dignity; if they do so and they do not repent and return to what they first chose, they shall be anathematized (c. 7 IV).

One who takes the monastic habit because he fears being called to military service and who after this fear extinguishes renounces the habit should be canonized with 120 days and then allowed to commune (c. 21 St. Necephorus the Confessor).

MILK: People may not bring mil to the altar as a sacrifice (c. 3 Ap); it is not right to offer honey and milk on the altar (c. 57 VI).

MINISTRY: After deposition, a bishop, priest, or deacon is not allowed to meddle with his former ministry; if he dares to do so, he will be altogether cut off from the Church (c. 28 Ap; c. 4 Antioch).

A bishop who refuses to undertake the ministry and the care of the people committed to him should be excommunicated (c. 36 Ap; c. 17 Antioch) and judged by the synod (c. 17 Antioch).

A priest or deacon who does not undertake his ministry is to be excommunicated (c. 26 Ap).

A bishop who is prevented from undertaking his ministry by people of the city is to retain his rank, but the clergy of that city shall be excommunicated because they have not corrected the disobedient people (c. 36 Ap; c. 18 Antioch).

Lapsed priests who have been restored are not allowed to exercise their ministry; they will retain only the honor of the position (c. 1 Ancyra).

Lapsed deacons who have been restored are not allowed to exercise their ministry, except by the indulgence of the bishop (*economia*, c. 2 Ancyra).

MINOR ORDERS: A bishop is to ordain priests, deacons, and minor clergy[203] [subdeacons, readers, singers, acolytes] (c. 2 Ap).

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203. Technically only bishops, priests, deacons and subdeacons are ordained. The other members of the minor order "are sealed" into service by laying of the hands of the bishop, chorepiscopos or abbot. In its long history, the Christian Church knew other orders of minor clergy; some of them disappeared because of lack of vocation, as the order of virgins and the order of widows, others disappeared because their functions were performed by other people, as the order of deaconesses, grave-diggers or κοπιᾶται,

A *chorepiscopos* may ordain the faithful to the rank of minor clergy, but he may not ordain deacons or priests without the approval of the ruling bishop; if he transgresses this rule, the *chorepiscopos* should be deposed from the rank that he enjoys (c. 10 Antioch).

An abbot who is also a priest may ordain in his monastery candidates to minor orders (acolytes, readers, singers, subdeacons), c. 14 VII; c. 6 Nicephorus the Confessor).

The deposition of minor clergy may be pronounced by one bishop (c. 12, 20, 100 Carthage).

Subdeacons and other minor clergy are not allowed to sit in the presence of a deacon; they may sit only with his permission (c. 22 Laodicea).

A priest, deacon, or minor clergyman is not allowed to leave the parish without the bishop's consent (c. 15 Ap; c. 3 Antioch).

Clergymen of the major orders or minor orders (with exception of readers and singers) may not marry after ordination (c. 26 Ap).

Priests, deacons, and minor clergy who leave their own parishes should be constrained to return; if they refuse to go, they should be excommunicated (c. 16 I).

Priests, deacons, and minor clergy should receive their share of offerings that are not made at the altar (c. 4 Ap).

A penalty of suspension is inflicted upon those in the minor clergy who communicate with the excommunicated (c. 10 Ap; c. 2 Antioch). The same penalty applies to minor clergy who refuse, without sufficient reason, to partake when the oblation is made (c. 8 Ap), who leave their parish and refuse to return when summoned by their bishop (c. 15 Ap; c. 16 I; c. 5 IV), who misappropriate candles and oil from the Church (c. 72 Ap), who appropriate consecrated vessels for private purposes (c. 73 Ap), who eat in a tavern, except when on a journey (c. 54 Ap), and who insult a priest or a deacon (c. 56 Ap) or mock the infirm (c. 57 Ap). See also SUBDEACON; READER; SINGER; CLERGY.

parabolani or caretakers of the sick and dead, door-keepers or πυλωροί, etc. Initiation in vocation for these orders was done through a blessing from the bishop or chorepiscopos. There were also people who belonged to a order which did not need any ordination or blessing, the *exorcists*, "because they exercize a spiritual function which comes directly from God and manifests itself by its results." (See, NPNF 2.14: 146 and AC VIII.26).

MINORS: Clergymen are allowed to undertake the guardianship of minors, if called to it by the law (c. 3 IV). Likewise, monks are not allowed to engage in secular business, with the exception of the guardianship of minors, which is required by law (c. 3, 4 IV).

A bishop might veil a virgin—that is, clothe her in the habit of the order of virgins—at the demand of the parents or guardians even when she is a minor, if there is a fear of death, or of a powerful suitor, or of a ravisher (c. 126 Carthage).

MINORITY: If two or three bishops in a province form a factious opposition against the election of a bishop, and if the ecclesiastical law is not disregarded, the majority prevails over the minority (c. 6 I; c. 19 Antioch).

MISAPPROPRIATION: Misappropriation is the intentional, illegal use of the property or funds of the Church or of its employees.

The provincial synod is to investigate the accounts of a bishop who is charged with misappropriation of funds (c. 25 Antioch).

Misappropriation by a bishop of ecclesiastical property is forbidden (c. 38 Ap).

Misappropriation of candles or oil from the Church is punishable with excommunication (c. 72 Ap). The same sentence applies to the personal use or misappropriation of the vessels of the Church (c. 73 Ap).

Misappropriation of monasteries is forbidden; once a monastery has been consecrated, it may not be turned into a secular dwelling; whoever permits that should be subject to ecclesiastical penalties (c. 24 IV).

Misappropriation of the offerings of the Church is punishable by anathema (c. 7, 8 Gangra).

MOCKING: Mocking an infirm person is forbidden; whoever does so, clergyman or layman, is to be punished with excommunication (c. 57 Ap).

MONASTERY: No one may found a monastery without the approval of the local bishop (c. 4 IV; c. 17 VII; c. 1 Constantinople I–II); monasteries are under the authority of the local bishop (c. 4, 8 IV).

No ordination at large is permitted, but the appointment to a monastery is a sufficient title for a clergyman (c. 6 IV).

The property of the monastery should be written into a register, which is to be kept in the archives of the diocese (c. 1 Constantinople I–II).

Once a monastery has been consecrated, it shall remain a monastery forever and may not be turned into a secular dwelling; whoever permits that should be subjected to ecclesiastical penalties (c. 24 IV).

Every monastery should have an *economos* (c. 11 VII). See also *ECONOMOS.*

The property of the monastery may not be sold or given away. A bishop or an abbot who does so should be cast away[204] from the bishopric or monastery (c. 12 VII; c. 24 IV; c. 49 VI; c. 1 Constantinople I–II).

A bishop who builds a monastery by ruining the finances of his diocese should be investigated (c. 7 Constantinople I–II).

A bishop may not receive someone into the clergy or appoint as abbot a monk who comes to his eparchy without a canonical dimissory letter from his bishop (c. 80 Carthage).

A bishop or abbot who receives someone into the monastery by money should be deposed or cast out of the monastery (c. 19 VII).

Mixed monasteries (of monks and nuns) in the same place are not allowed (c. 20 VII).

Women ought not to live in the bishops' houses or in the monasteries of men. If this behavior takes place, the bishop or the abbot should be penanced ; if the situation persists, they should be deposed (c. 18 VII).

MONASTICISM: Monasticism is the organized calling to celibacy and to devotion to Christ and faith, according to the evangelical counsels (Matt. 10:37, 39, 16:24–27, 19:10–12; Mark 10:28–30). The prototype of monasticism is found in Nazirite law (Num. 6:1–26; Isa. 56:4–6; Jer. 35:1–2; Amos 2:11–12), fully expressed in the lives of St. Elias, St. John the Baptist, the Righteous Symeon, and the prophetess Anna (1 Kings 17:1–6; Luke 2:25–38, 3:1–17; Heb. 13:12–15). This kind of life was continued by the Holy Apostles as celibacy

204. Some of the canons talked about expelling, others about incurring canonical penalties and others about casting away of the bishop or abbot who sold or alienated in any form property of the monastery (which it was a perpetual gift of the founders); the canons do not spell out the punishment, but it could be interpreted as deposition (to the priesthood) of the bishop or degradation to monk (in another monastery) of the abbot.

and asceticism and later in the organized monasticism of the early Church, starting with St. Pachomius (d. 348); it continues today. See also MONK; NUN.

True asceticism and monasticism is commanded (c. 21 Gangra).

If a monastic leaves his monastery and decides to marry, his marriage is considered a second marriage (c. 18, 19 Basil the Great; c. 19 Ancyra). See also MARRIAGE, OF A MONASTIC.

A monastery or an oratory may not be established in a bishop's diocese without his consent; those who infringe this rule should be excommunicated (c. 4 IV).

The age for taking vows for monasticism (for monks and nuns alike) is the age of maturity, twenty-five years old. But under exceptional conditions (such as fear of death, dangers of virginal purity), the age can be lowered to seventeen (c. 126 Carthage; c. 18 Basil the Great). Although the Apostle Paul ordained that a widow to be espoused to the Church must be sixty, the Fathers said that a deaconess is to be ordained at forty, the Church in the interim having become stronger. Thus, the Sixth Ecumenical Council approved placing the seal on a monk at an earlier age (c. 40 VI).

Whoever is about to enter a monastery should practice asceticism and be obedient to the superior of the house; then he will be examined by the superior, and if accepted, he must live one more year outside the monastery to ensure that the life of solitude is appropriate for him. And if after all these trials he wants to be a monk, he will remain in the monastery and not be allowed to leave it unless death or the common good demand it (c. 41 VI).

"Those who are called Eremites and are clothed in black robes, with long hair, go about the cities and associate with worldly men and women and bring odium upon their profession." They are to live in monasteries, but if they do not choose to do this, they are to be expelled from the cities and forced to live in the desert (*erimos*), from which their name derives (c. 42 VI).

It is lawful for Christians to embrace monasticism without regard to what faults they may have previously committed (c. 43 VI).

A monk convicted of fornication or who takes a wife for the communion of marriage is to be subject to the penalties of fornicators (c. 44 VI). See also FORNICATION, OF MONASTICS.

Parents should not deck out in silk and gold and jewels a daughter who has chosen the monastic life, for this recalls to her mind the world she is leaving (c. 45 VI).

A nun shall not go out of her convent without the consent of the mother superior, nor shall she go alone but with an older nun. It is in no case permitted to her to spend the night outside. The same in the case of a monk: he needs approval from the superior. Those who transgress those rules are to be subjected to suitable punishments (c. 46 VI).

No woman may sleep in a monastery of men, nor any man in a convent of women, for the faithful should respect the monastery and give no occasion for scandal. But if anyone does that, whether clergyman or layperson, let him be cut off (excommunicated; c. 47 VI).

The wife of him who is advanced to the episcopal dignity shall be separated from her husband by their mutual consent, and after his ordination and consecration to the episcopate, she shall enter a monastery situated at a distance from the abode of the bishop; there let her enjoy the bishop's provision. And if she is deemed worthy, she may be advanced to the dignity of a deaconess (c. 48 VI).

Whoever for money admits those coming to holy orders or to the monastic life, whether he is a bishop, superior of a monastery, or any other in sacred orders, shall either cease or be deposed. And the superiors of monasteries or convents should be expelled and given to subjection. But the possessions of those who came in should remain, whether the person remains or not, provided the superior is not to blame (c. 19 VII).

A monastic is not allowed to leave his monastery and go to another one; but if he does, he should be received as a guest. It is not proper to be received as a member of the new monastery without the consent of the *hegoumenos* (abbot; c. 21 VII).

Neither clerics nor those who have professed virginity should enter the houses of widows or virgins without the approval of bishops or presbyters. If they must enter, they are to be accompanied by other clergy; not even bishops and presbyters shall go alone into the houses (c. 38 Carthage).

Professed virgins who leave the house of their parents are commended to the care of bishop or presbyter; if these guardians are absent for a time, they should commend the virgins to the care of older and virtuous women, lest they wander about and the reputation of the Church be hurt (c. 44 Carthage).

Any bishop who receives, without a canonical letter, a monk from a monastery not subject to his jurisdiction and ordains him to a clerical position or appoints him as abbot of a monastery shall be separated from the communion of others, and the monk shall continue neither as clergyman nor abbot (c. 80 Carthage).

Whoever has veiled or shall veil a virgin—that is, clothe her in the habit—before she is twenty-five years of age, being forced on account of a powerful lover or a ravisher or deadly disease, provided that those who have the charge of her so exhort, shall receive no punishment from the synod concerning her age (c. 126 Carthage).

No monastery may be founded without the approval of the bishop. Those who found monasteries and donate their properties to them are no longer owners of the monasteries and are not allowed to make themselves abbots or to influence the election of the abbot (c. 1 Constantinople I–II).

Entrance into monasticism must be done in the presence of the abbot of the monastery in which the candidate shall live. Whoever does not observe this rule should be deposed (c. 2 Constantinople I–II).

The abbot must search for monks who have fled the monastery and heal them with right doctrine; if he fails to do so, he should be excommunicated (c. 3 Constantinople I–II).

If a monk flees his monastery either to live in another monastery or to live in the world, he and those receiving him should be excommunicated until the monk returns to his monastery. But the bishop has the authority to transfer a monk from one monastery to another or to allow him to live outside of the monastery (c. 4 Constantinople I–II).

It seems that some people joined the monastic life without much discernment and eventually left the monastery. For this reason, the synod decided that people should prove their calling to monasticism by passing through a novitiate of three full years; only under special conditions could this period be reduced (c. 5 Constantinople I–II).

Monastics are not entitled to private property; for this reason, those who intend to join the monastic life and have personal property may dispose of it before entering the monastic life. Once the individual is in the monastery, all goods belong to the community,

and if anyone hides some personal property, the abbot has the right to take it and sell it in the presence of everybody; the proceeds are given to the poor and needy. The same rules apply to the nuns and convents (c. 6 Constantinople I–II).

Some bishops were building new monasteries in their names and driving income from the old ones to the new; those bishops should be admonished, and the new monasteries should be assigned to the diocese (c. 7 Constantinople I–II).

A monk who left the monastery and renounced the habit but eventually repented and came back should be received without his having to take the vows again (c. 14 Nicephorus the Confessor).

A bishop is not allowed to enter monastic life because "he is called to lead and not to be led"; if a bishop wants to live a fully monastic life, he must renounce the archieratical dignity (c. 2 Constantinople [Holy Wisdom]).

A monastic who leaves the monastery where he was tonsured is forgiven only in three situations: if the *hegoumenos* (abbot) is a heretic; if women are allowed to freely enter the monastery; or if in the monastery schools for children of the laypeople are allowed, so the children may divulge only what they see wrong in the monastery (c. 17, 18 Nicephorus the Confessor).

Monastics submitted to *epitimia* are allowed to eat and pray with the rest of the community and to receive the antidoron after their confession (c. 19 Nicephorus the Confessor).

One who put on the habit out of wickedness or to avoid military service and then renounced it should be excommunicated for 120 days (c. 22 Nicephorus the Confessor).

The abbot is not allowed to remove the *kamelafkion*[205] from the head of a monk and chase him away from the monastery (c. 24 Nicephorus the Confessor).

If someone is seriously sick—on his or her deathbed—and asks for baptism or to enter monastic life, the request should not be denied (c. 26 Nicephorus the Confessor).

205. Kamelafkion is a head covering composed of a black hat covered with a veil, and it is the trademark of the monastic habit; removing the kamelafkion from a monk's head meant expulsion from the monastery and from the monastic community. Through this canon, the impulsive gesture of some abbots is curbed, as there are specific monastic sanctions and rules against misbehavior of monks. This canon is listed as c. 24 in Milash and Floca but as c. 23 in the *Rudder*.

A hieromonk—that is, one who is both monk and presbyter—should celebrate services with the monastic *mandya*[206] (c. 27 Nicephorus the Confessor).

MONEY: A bishop is not allowed to extort money or other benefits from any member of the clerical rank from his jurisdiction; denying the celebration of the holy offices or closing venerable temples in expectation of gifts should be subject to *lex talionis* (c. 4 VII). In his commentary, Zonaras required even more than *lex talionis*: "But he who shuts off a temple shall be punished even more than by cutting off." (Zonaras' commentary to c. 4 VII in NPNF 2.14: 588)

Bishops, priests, and deacons are not allowed to obtain their offices by money. In such cases, both the ordainer and the ordained should be deposed and cut off from all communion (c. 29 Ap). According to the Letter of Gennadius they are subjected to anathema (See *Rudder*: 924-926). See also SIMONY.

Clergymen are not allowed to lend money and to receive interest for it; those who do so should be deposed (c. 44 Ap; 17 I; c. 4 Laodicea).

The money of the Church is to be under the supervision of the bishops (c. 41 Ap; c. 25 Antioch). See also PROPERTY (GOODS) OF THE CHURCH.

MONK: Monks should be "subject to the bishop, and embrace a quiet course of life, and give themselves only to fasting and prayer, remaining permanently in the places in which they were set apart"; they should not meddle either in ecclesiastical or in secular affairs and should leave the monastery only with the approval of the superior. Those who transgress these rules should be sanctioned, clergy with canonical censure and monks with excommunication (c. 4, 8 IV; c. 22 VII).

The holy synod decreed that those entering monastic life must come for the right reason and submit fully to the rules of monastic life, being instructed and tonsured by the abbot; if someone tonsures a monk without the knowledge of the abbot, that person should be deposed because tonsuring wrong people stains the monastic schema and blasphemes the name of Christ (c. 2 Constantinople I–II).

206. Mandya is a large, stately robe, which looks like a cape, donned by the bishops at Vespers and by the priest-monks during the great feasts of the church.

A slave may not be received as a monk without the consent of his master (c. 82 Ap).

No monastery or oratory may be established anywhere without the consent of the local bishop (c. 4 IV).

Monks are not allowed to engage in secular business, with the exception of the guardianship of minors, which is required by law (c. 3 and 4 IV).

Monks are not allowed to accept either a military charge or any secular dignity; if they do so and do not repent and return to what they first chose, they shall be anathematized (c. 7 IV).

Monks are not allowed to meddle with ecclesiastical business except by the direction of the bishop (c. 3, 4 IV).

Monks are not allowed to enter into shameful and unlawful transactions; if they do so, they should be anathematized (c. 2 IV).

A monk is not allowed to leave the monastery without the approval of the abbot (c. 46 VI; c. 21 VII; c. 3 Constantinople I–II). If he thinks that the abbot has unjustly refused to grant approval, he should appeal to the bishop (c. 6 Nicholas of Constantinople).

A monk who runs away from the monastery should be excommunicated (c. 4 Constantinople I–II).

A bishop who receives a monk from another eparchy without canonical letters should be sanctioned (c. 80 Carthage).

A monk may leave his monastery without being sanctioned if the abbot is a heretic, if women have free access to the monastery, or if things happening in the monastery are divulged to people outside (c. 17, 18 Nicephorus the Confessor).

Entry into monastic life is not barred by sins committed previously (c. 43 VI).

A monk may not marry (c. 16 IV).

A monk who commits fornication or takes a wife should be subject to the penalties for fornication (c. 44 VI). For the same, Basil the Great canonized with the penalties for adultery (c. 60), Nicephorus the Confessor required anathema (c. 35), and John the Faster canonized with two years abstention from Communion with fasting and prostrations (c. 16).

As mixed monasteries (of monks and nuns) are not allowed, a monk and the nun may not talk apart from other people (c. 20 VII).

A monk is not allowed to sleep in a convent, and a nun is not allowed to sleep in a monastery (c. 20 VII).

A bishop may transfer a monk from one monastery to another or even allow him to live outside of the monastery (c. 2, 4 Constantinople I–II).

A monk may not own property (c. 6 Constantinople I–II).

A monk is not allowed to enter a tavern (c. 24 Laodicea).

One who took the monastic habit because he feared being called to military service and who after this fear has extinguished renounces the habit should be canonized with 120 days and then allowed to commune (c. 21 Nicephorus the Confessor).

A vagrant monk should be returned, even by force, to his own monastery (c. 23 IV; c. 35 Nicephorus the Confessor).

A monk or a priest who receives gifts from thieves or robbers or ravishers, or who eats or drinks with them, should be cast out of orders and excommunicated from the Church; and if he persists in this, let him be judged as the thieves, robbers, or ravishers (EL 569).

A monk who goes to Constantinople and causes disturbances there and, being duly notified by the advocate to depart from the imperial city, shamefully continues the same practices should be expelled from the city (c. 23 IV). See also ASCETICS.

MONTANISTS: Montanists desiring reconciliation to the catholic Church are to be received as heathen—that is, through baptism (c. 7 II).[207]

MOPSUESTIA, THEODORE OF: Theodore of Mopsuetia was seen during his lifetime as an Orthodox writer and hierarch, though after his death he was seen as the author of some heretical teachings, mainly because the Pelagians and Nestorians, in their heretical views, heavily quoted from his work. The Monophysitic reaction against the Council of Chalcedon brought a ban on Theodore's writings and a condemnation of his views during the debate on the Three Chapters (AD 544): the heresies of Theodore of Mopsuestia are anathematized (c. 7 III).

207. Among the many uncanonical practices of the Montanists, one set them apart: they baptized their people by immersion, three times, but with this formula, "In the name of the Father, and of the Son, and of Montanus." They used this formula because they believed that Montanus was the embodiment of the Holy Spirit. This canon may be extended through interpretation to the many contemporary non-Trinitarian formulas used in baptism in some Protestant and nondenominational churches.

MOTHER: A clergyman is not permitted to share quarters with a *subintroducta*, but he is allowed to dwell with a mother, a sister, an aunt, or any person who is above any suspicion (c. 3 I). See also *SUBINTRODUCTA*.

MURDER (KILLING): "Thou shalt not kill"—that is, one must not destroy life oneself, for doing so dissolves what was well made. Not that all killing is wicked; only killing the innocent is wicked. But killing that is just is reserved to the magistrates alone (AC 6.2).

If a clergyman strikes anyone in a fight and kills by a single blow, let him be deposed from the office for his violence. If a layperson does so, let him be excommunicated (c. 65 Ap).

A willful murderer should remain a prostrator for his or her entire life and only at the point of death should be admitted to communion (c. 22 Ancyra).

Concerning involuntary murder (i.e., manslaughter), a former decree prescribed excommunication for seven years according to the degrees, but this one prescribes a term of five years (c. 23 Ancyra).

Whoever kills another with a sword or hurls an axe at his own wife and kills her is guilty of willful murder—but not one who throws a stone at a dog and accidentally kills a man, or who corrects another with a rod or scourge in order to reform him, or who kills a man in his own defense when he only designed to hurt him. This second type of murder is called unwillful (involuntary) murder, or manslaughter. Those who take medicine to procure abortion and those who kill on the highways commit willful murder. Willful murder is canonized with twenty years; involuntary murder with ten years (c. 8 Basil the Great).

Those who commit involuntary murder should be mourners for two years, hearers for three years, prostrators for four years, and costanders for one year (c. 57 Basil the Great). A penance of eleven years is required when the wounded survives for a while and then dies (c. 11 Basil the Great).

The Fathers did not think that killing in war was murder, but Basil the Great held that it is advisable for those guilty of it to forgo communion for three years (c. 13 Basil the Great).

He who gives a mortal wound to another is a murderer, whether he were the first aggressor or did it in his own defense (c. 43 Basil the Great).

A woman who delivers on the road and neglects her child is guilty of murder unless she was constrained by necessity and lack of means (c. 52 Basil the Great).

It is in the power of the bishop to increase or lessen the penance for involuntary murder (*economia* and *akriveia*; c. 54 Basil the Great).

Those who fight against highwaymen or robbers[208] are repelled from the communion of the Good Thing (Holy Communion); if they are clergymen, they should be deposed (c. 55 Basil the Great).

One who willfully commits murder and afterward repents shall for twenty years remain without communicating of the Holy Sacrament. Those twenty years should be split as follows: four years of mourning at the door of the church, five years among the hearers, seven years among the prostrators, and four years as a costander without partaking (c. 56 Basil the Great).

An involuntary murderer for two years shall be a mourner, for three years a hearer, four years a prostrator, one year a costander; then he or she may communicate (c. 57 Basil the Great).

Voluntary murderers shall be ejected from the Church for nine years, then spend nine years as hearers and nine years as prostrators; but every one of these nine years may be reduced to seven or six or even five if the penitents are very diligent (*economia*). Involuntary murderers are to be treated as fornicators, but still with discretion and allowing communion on a deathbed on condition that they return to penance if they survive (c. 5 Gregory of Nyssa).

The old law required that a murderer should be punished with death; but Basil the Great (c. 56) excluded the voluntary murderer from communion for twenty years and the involuntary murderer for ten years. John the Faster prescribed five years for the voluntary murderer and three years for the involuntary murderer, if they eat dry food and do three hundred prostrations daily; if they show laziness, then they should do the penance of the Fathers (*economia* and *akriveia*; c. 31 John the Faster).

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208. Nowadys this canon may sound strange, but for the early Church it was quite normal to excommunicate the laypeople for three years or depose the clergymen who during their defense against robbers involuntarily killed them. The need of 'clean hands' before receiving or touching the holy mysteries was understood as paramount by the Fathers.

Basil the Great (c. 13) excluded from communion for three years those who kill during war. Basil also excluded from communion those who fight against robbers (c. 55); if they are clergymen, they should be deposed (c. 32 John the Faster).

A woman who sleeps on an infant and kills it should be excluded from Communion for three years, though the attitude of the parents should be taken into consideration (*economia* and *akriveia*) (c. 36 John the Faster).

A woman who does not take care during her pregnancy and out of her negligence miscarries should be penanced with the penance for voluntary murder (c. 36 John the Faster). See also PARRICIDE.

MURDER (IN THE CHURCH): If men follow someone into the church and kill him during the liturgy, and if the killing takes place before the Cherubic Hymn, the liturgy may be stopped and the Holy Gifts may be consumed; if the killing takes place after the Cherubic Hymn, the liturgy should be continued to the end, and then the church must be cleansed with the archieratical prayer. If the priest fails to have the church cleansed, he should be defrocked by his bishop (EL 1236).

If a church is attacked by murderous people, the celebrant priest should consume immediately the Holy Gifts, the Body and Blood of Christ, and then he may flee; however, he may want to remain in the altar, and if he is killed for his faith, he will be numbered among the martyrs (EL 1255).

In case of fire or sudden collapse of the church building, the celebrant priest should take the holy vessels and the antimension and go to another church or another appropriate place and continue the liturgy to the end (EL 1256).

MUTILATION: See CASTRATION.

MYSTERIES, HOLY: Heretics who have been reconciled to the catholic Church, after chrismation may communicate in the holy mysteries (c. 7 Laodicea).

Those who serve in the altar should be absolutely continent (in relation with their spouses or anyone else) when they handle the holy mysteries and serve in the altar (c. 13 VI; c. 4, 25, 70 Carthage).

A bishop may not be demoted to the rank of presbyter because if he is not worthy to conduct the holy mysteries as a bishop, how he can be worthy to conduct them as a priest? (c. 29 IV)

During Bright Week—that is, the week after Easter (Pascha)—the faithful should be free of labor, rejoicing in Christ's resurrection with psalms, hymns, and spiritual songs, applying their minds to the reading of Scriptures and delighting in the holy mysteries; therefore, on the aforesaid week there must not be any horse races or public spectacle (c. 66 VI).

A clergyman who without the approval of the bishop performs holy mysteries (i.e., sacraments) outside the church should be deposed (c. 31, 59 VI; c. 10 VII; c. 12 Constantinople I–II).

MYRRH: Myrrh, or chrism, is declared to be the seal of the gift of the Holy Spirit (c. 7 II). Information about how anointing was done in the early Church can be found in c. 7 II.

Anointing with chrism—that is, chrismation—is done after baptism (c. 48 Laodicea).

Some of the heretics who convert to Orthodoxy are received through chrismation, anointing with holy myrrh (c. 7 II; c. 95 VI; c. 7 Laodicea; c. 1 Basil the Great). See also HERETICS.

Holy myrrh may not be prepared by presbyters, but only by the bishops (c. 6 Carthage). In modern times, holy myrrh is prepared by the head of each autocephalous church—the patriarch or archbishop—along with many bishops; the preparation by the head of the church is seen as a privilege of an autocephalous church.

Children baptized by the Donatists who mature and come to the catholic Church, after anathematizing their heresies should be received through chrismation, or anointing with myrrh, and may be ordained through imposition of hands without being rebaptized; as the Apostle Paul declared, there is "one Lord, one faith, one baptism" (Eph. 4:5; c. 57 Carthage).

Those who are to be baptized will receive the ointment (i.e., holy myrrh), that "he [who] died with Christ...may rise and live with Him." (AC 7.44).

Apostates who return to the Church should be anointed with holy myrrh (c. 1 John the Faster).[209]

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209. This canon was edited by Matthew Blastares (fourteenth century) and published in the *Syntagma*. The first part belongs to John the Faster, who quoted Basil the Great (the apostate will receive communion only on the deathbed; c. 74 Basil the Great), Gregory of Nyssa, Peter of Alexandria, and others (those who deserted the faith by constraint are canonized up to nine years). The second part belongs to Matthew Blastares himself, who included in the canons the norms established at the synod of

Through myrrh the newly baptized are anointed on the naked body, while the Holy Spirit sanctifies the soul (EL 220).

NARTHEX: No business is allowed (selling food, drinks, or any other products) in the narthex or in the courtyard of the church; if someone dares to do this, he should be excommunicated (c. 76 VI).

The petitions for the catechumens should be said after the sermon given by the bishop, and then the catechumens are led into the narthex; afterward, the petitions for the penitents are said (c. 19 Laodicea).

If someone remains in the narthex of the church under necessity and for a short time only, he is not to be condemned. But if he tarries there for any undue length of time, he is to be expelled from there and punished with amercements, for the church may not be treated as a common and unprivileged house (c. 3 Nicephorus the Confessor).

NEEDY: See POOR.

NEGLIGENCE: The bishop or the presbyter who does not take care of his flock should be excommunicated, and if he persists, then he should be deposed (c. 58, 59 Ap).

A bishop who neglects to convert heretics from his eparchy to Orthodoxy should be admonished by the neighboring diligent bishops (c. 121 Carthage).

If a bishop persists in negligence, he should be excommunicated (c. 123 Carthage).

As some metropolitans neglected the need of the flock and delayed the ordination of the bishops for them, the holy synod decided that the ordinations of bishops should take place within three months unless some inevitable necessity delayed the election. The metropolitan at fault should be subjected to ecclesiastical penalty, and the income of the widowed church, or diocese, should be kept safe by the steward of that church (c. 25 IV).

If a newly born infant dies and was not baptized because of the parents' negligence, the parents should be excluded from Communion for three years, eating dry food and doing prostrations; if the infant is at least seven days old and dies unbaptized, the parents

Constantinople under Patriarch Methodios (842–846): they should confess, listen to prayers for seven days, on the eighth be baptized and anointed with holy myrrh; then they are allowed to receive Communion.

should be excluded from Communion for seven years, eating dry food and doing forty prostrations daily (c. 37 John the Faster).

If a priest cuts the Lamb and a part of it falls on the ground, that priest should do two hundred prostrations; if the priest does not take good care of the Lamb and mice eat part of it, or through negligence he crumbles it, that priest should fast forty days (EL 1210).

NEOPHYTE: A neophyte, a new convert, may not be ordained immediately into the clergy unless some special circumstances require it (c. 80 Ap; c. 2 I; c. 12 Neocaesarea; c. 3 Laodicea; c. 10 Sardica). He who was recently baptized ought not to be promoted to the sacerdotal list (c. 3 Laodicea). A neophyte shall not be immediately advanced to the presbyterate; if after ordination it is discovered he had previously sinned, let him be expelled from the clergy. A neophyte is not to be made a bishop or a presbyter without a time of probation (c. 2 I). Likewise, a neophyte should not be made immediately a bishop (c. 80 Ap).

Due care must be taken when someone is to be ordained a bishop; he should pass through the ranks for a substantial period. One who does not follow this path would naturally be deemed a neophyte (c. 10 Sardica).[210]

If one was ordained as a new convert or was ordained without examination, and eventually a serious sin or crime was discovered through the evidence of two or three witnesses, let that person cease to hold the clerical office (c. 2, 9 I; c. 9, 10 Neocaesarea).

They who are to be baptized must learn the creed by heart and recite it to the bishop or the priests on the fifth day of the week—that is, on Holy Thursday (c. 46 Laodicea).

NEPOTISM: A bishop is not allowed to ordain relatives of his. If by this ordination the bishop intends to leave his relative as heir to the see, the ordination shall be void and the bishop excommunicated (c. 76 Ap).

The bishop has the authority to manage the funds of the church in order to help those in need and to cover his expenses and those of his clergymen; however, if he mishandles the accounts to enrich

210. St. Paul said, "He must not be a recent convert [neophyte], or he may be puffed up with conceit and fall into the condemnation of the devil" (1 Tim. 3:6), and then enjoined Timothy not to ordain men speedily, "Do not be hasty in the laying of the hands, nor participate in other man's sins" (1 Tim. 5:22).

himself or some of his relatives, he should be judged by the provincial synod (c. 25 Antioch). Bishops are forbidden to appropriate ecclesiastical property for themselves or for their relatives (c. 38 Ap; c. 25 Antioch).

The revenues of the church should be administered by the bishop under the advisement of the clergy from the eparchy; however, the bishop may not use more than his needs and may not appoint his relatives in the administration of these funds (c. 25 Antioch; c. 41 Ap).

A bishop may leave his personal property to whomever he wishes (c. 24 Antioch); however, he is not allowed to leave his property through last will or testament to the heterodox, even when they are his relatives. Those breaking this canon should be declared anathema and their names no longer commemorated (c. 81 Carthage).

NESTORIUS: Nestorius, Archbishop of Constantinople (428–431) was condemned by the Council of Ephesus (431) for promoting disunity between the human and divine nature of Jesus Christ; moreover, in his teachings he rejected the well-established and accepted title *Theotokos*, "Mother of God," given to the Holy Virgin Mary. He was condemned as heretical and removed from his see, and he ended his life (451) in a monastery. Many of his followers were exiled and eventually promoted Nestorianism in Persia and other eastern countries.

A metropolitan who professes the heresies of Nestorius should be deposed and excommunicated, and be subject to his own bishops and the neighboring Orthodox metropolitans (c. 1 III). For the same, a provincial bishop should be deposed (c. 2, 7 III), a priest or a deacon should be deposed (c. 4, 7 III), and a layperson should be anathematized (c. 7 III).

Clergymen who have been inhibited by Nestorius and his followers from exercising their priesthood on account of their Orthodoxy should be restored to their proper rank (c. 3 III).

If Nestorius or his followers restored some deposed clergyman, the synod declares that their deposition remains valid (c. 5 III).

NEW ROME: The Bishop of Constantinople shall have the prerogative of honor after the Bishop of Rome, because Constantinople is the New Rome (c. 3 II; c. 28 IV).

NICAEA: The creed of Nicaea is confirmed by the Second Ecumenical Council of Constantinople (c. 1 II). The same creed was reconfirmed by the Third Ecumenical Council of Ephesus (c. 7 III) and the Fourth Ecumenical Council of Chalcedon (Chalcedon Encyclical).

The creed of Nicaea is to be the only profession of faith demanded of the converts from heathenism or Judaism or from heretics, and the composition of any other creed is stringently forbidden (c. 7 III).

The decision of the First Ecumenical Council of Nicaea regarding the date for the celebration of Easter (Pascha) is reaffirmed (c. 1 Antioch).

The canons of the First Ecumenical Council of Nicaea are confirmed (c. 1 IV).

Those who were forced through violence to join the Arian heresy and who confess that they did not become true Arians should be forgiven and restored to their previous rank in the catholic Church; if the leaders and defenders of the heresy convert and repent, they should be received back in the Church, but they may not be clergy any longer. All who leave the Arian heresy and return to the Church should publicly pronounce anathema the teachings of the ringleaders Eudoxius of Constantinople (360–370) and Euzoius of Antioch (364–374) and solemnly adhere to the profession of faith of Nicaea (c. 3 Athanasios the Great).

NIECE: Marriage with a niece disqualifies a man from being ordained (c. 19 Ap). Regarding Panuph, who was appointed deacon in Lycopolis and who supposedly married his own niece, if he married her when he was a catechumen, let him remain in the clergy; but if he married her afterward, let him be deposed (c. 5 Theophilos of Alexandria).

NOVATIANS: See CATHARI.

NOVICE: One who wants to enter into monasticism must remain in the monastery as a novice for three years, and after the examination by the abbot, remain one more year outside of the monastery; only then may he be tonsured as a monk. In exceptional cases, the term can be reduced (c. 5 Constantinople I–II; c. 41 VI).

NUN: A woman may enter monastic life no younger that twenty-five years of age; only in special circumstances may she be accepted at a younger age than that (c. 126 Carthage).

A nun may not leave the convent without the approval of the abbess (c. 46 VI; c. 21 VII; c. 3 Constantinople I–II). In case of unjustified refusal, she may apply to the bishop (c. 6 Nicephorus the Confessor).

A nun should not adorn herself with expensive clothes (c. 45 VI).

A nun is allowed to enter the altar to light candles and to clean the place (c. 15 Nicephorus the Confessor).

A nun is not allowed to receive Holy Communion from a young presbyter (in order to avoid any appearance of scandal), (c. 23 Nicephorus the Confessor).

A nun who has knowledge about a committed adultery or other serious sins and does not divulge them to the abbess should receive the same sanction as the perpetrators (c. 38 John the Faster; c. 71 Basil the Great).

Other general prescriptions for monks are equally valid for nuns.

NUPTIALS: A priest is not allowed to attend as a guest the nuptial party after the wedding of a digamist (c. 7 Neocaesarea).

OATH: An oath is an invocation of God, a saint, or a saintly object for confirmation of a truth, an affirmation, or the sincerity of a promise. In brief, one can say that when properly taken, an oath is a species of divine worship.

An oath that confirms the truth refers to the past; its opposite is false swearing. But an oath can also be a promise made by an individual to tell the truth; when this solemn promise is broken we have perjury.[211] An example of an oath of promise is found in Isaiah 19:18 (admission of the Assyrians and Egyptians to the covenant). Most oaths refer to the name of the Lord as witness and are professions of faith (Isa. 65:16; Jer. 12:16). By calling on the Lord's name, one acknowledges him as witness, as Christians believe him to be eternal and unchangeable truth. The Lord is seriously offended when human beings swear by other gods and institutions, as this is a proof of an open revolt against the Creator.[212]

211. It appears that Orthodox Canon Law distinguishes between lying under oath (or false swearing) and perjury, according to a point of reference in time as to what the oath referred (past or future); the secular law of the United States does not distinguishes them by the time reference. Briefly, in secular law, all instances of perjury are lies under oath, but not all lies under oath constitute perjury. To perjure oneself, the person under oath must make a statement that can be proved false and must know that the statement was false; furthermore, that lie must be material to the case at hand.

In the Old Testament, a request to take an oath was expressed by the formula "give God the praise" (Josh. 7:19; John 9:24); the oath was made with the understanding that a great dishonor is done to God when someone swears by him falsely. An oath is supposed to be made only for necessity and for the confirmation of the truth—not for passion or pleasure.

The New Testament references about oaths point to the admissibility of oaths when they are made in God's name and used for confirmation of a truth;[213] an oath by other gods, saints, or institutions is condemned.[214]

Interpretation of the verses related to oaths in the New Testament led some churches and faithful individuals to admit or reject to the oaths.[215] Generally, those churches and individuals who looked into the Scriptures through an exhaustive (considering both testaments) and comprehensive, contextual interpretation arrived at the conclusion that oaths made in the name of the Lord are acceptable, and that the frivolous oaths or the oaths in the name of other gods or institutions should be rejected. Conversely, those churches and indi-

212. "How can I pardon you? Your children have forsaken me, and have sworn by those who are not gods" (Jer. 5:7). "I will cut off from this place every remnant of Baal… those who bow down and swear to the Lord but also swear by Milcom" (Zeph. 1:4, 5).

213. "Men indeed swear by a greater than themselves and in all their disputes an oath is final for confirmation" (Heb. 16:16); "for when God made a promise to Abraham, since he had no one greater by whom to swear he swore by himself" (Heb. 16:13).

214. "Again you have heard that it was said to the men of old, 'You shall not swear falsely, but shall perform to the Lord what you have sworn.' But I say to you, Do not swear at all, either by heaven, for it is the throne of God, or by earth, for it is his footstool, or by Jerusalem, for it is the city of the great King. And do not swear by your head, for you cannot make one hair white or black. Let what you say be simply 'Yes' or 'No'; anything more than this comes from evil" (Matt. 5:33–37); and "but above all, my brethren, do not swear by heaven or by earth or with any other oaths, but let your yes be yes and your no be no, that you may not fall under condemnation" (James 5:12).

215. Most of the Christian churches admitted oaths. One of the first groups to reject them was the Anabaptists. John Calvin condemned them in his massive work *Institutes*. Nowadays, the Religious Society of Friends (Quakers) and Mennonites object to the taking of oaths and do not serve in the military where they are supposed to take an oath of allegiance.

viduals who searched only in the New Testament and interpretated a quotation out of context decided that all oaths are to be rejected.[216]

In New Testament times, the religious oath was used both in the Church and in the secular courts of justice.[217] In recent times, a civil oath or *affirmation* has emerged in the legislation of some countries, and people are given the choice to make one or the other.[218]

Some of the Fathers of the Church (including St. Basil the Great, St. Gregory the Theologian, St. John Chrysostom, and St. Gregory of Palamas) believed that oaths should be completely banned; however, they offered *epitimia* against those who falsely swore or those who committed perjury, and this indicates that oaths were taken.[219]

The Egyptian bishops who refused to sign a letter of Leo, Pope of Rome, before the appointment of the Bishop of Alexandria, were asked to take an oath that they would not leave Chalcedon until the appointment was made (c. 30 IV).

If a clergyman commits perjury, let him deposed but not excommunicated (c. 25 Ap).

As for those who take heathen (pagan) civil oaths, the canon makes them liable to penances; and the Sixth Ecumenical Council decreed their excommunication (c. 94 VI).

If someone swears that he will not accept an ordination, do not force him to break his oath (c. 10 Basil the Great).

An oath made in a rush and in the presence of an unfaithful person by a clergyman and eventually recanted still has some effect; the clergyman should be canonized with *epitimia* (c. 17 Basil the Great).

Leaders ought not to swear to wrong their subjects; such an oath must be repented of, and evil is not to be justified under the pretense of religion (c. 29 Basil the Great).

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216. For example, "Do not swear at all" (Matt. 5:34) and "Let your yes be yes and your no be no (James 5:12).

217. For example, in the courts of the United States of America the oath is, "I, Name, solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help me God."

218. For example, in Greece, Article 48 of the Civil Code was changed on September 16, 2001, in order to allow a witness in the court to choose between a religious and a civil oath. When someone asks to take the civil oath, he or she must swear by his "honor and conscience." In the courts of the United States of America, the affirmation keeps the form of the religious oath, but the "solemnly swear" is replaced by "promise," and the ending ("so help me God") is dropped.

219. For example, see c. 17, 29, 64, 82 Basil the Great.

A person who commits perjury should be barred from Holy Communion, spending two years as a mourner, one as a hearer, one as a prostrator, and one as a costander. In the sixth year he or she may receive Holy Communion (c. 64 Basil the Great).

They who by force have been driven to perjury may be admitted after six years; but if without force, let them be mourners two years, hearers two years, prostrators three years, and costanders three years; after the penance (ten years) let them receive the Body of Christ (c. 82 Basil the Great).

For the same sin, John the Faster prescribed one year's abstinence from Communion, a year in which the penitent will eat only dry, fasting food once a day (evening) and will perform 250 prostrations every day (c. 45 John the Faster).

One who commits perjury in order to acquire the goods or wealth of others, besides the penance of three years of excommunication, fasting, and prostrations, should return whatever he or she gained through the perjury (EL 1134).

A priest is not allowed to take an oath, whether small or big, willingly or unwillingly; if he does that, he should be cast out from priesthood (i.e., defrocked; EL 1135).[220]

OBEDIENCE (CANONICAL): Obedience in the Church is modeled after the obedience between the Son and the Father.[221] As the disciples and the apostles were obedient to Christ, so the faithful and the clergy should be obedient to the Church; this expectation was raised to the level of divine commandment.[222] The power of the Church to sanction offenses is based on divine law: "and if he refuses to listen even to the church, let him be to you as a Gentile and a tax-collector" (Matt. 18:17b).

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220. The root of this canonical prescription is in *Kormchaia kniga* (The Book of the Pilot); this Slavic collection of canons was originally called *Nomocanon* (as its Greek main source), but in the printed edition of 1787 it was enlarged and renamed *The Book of the Pilot*, thus projecting the understanding that the Church is a ship navigating in turbulent waters with the help of a *rudder*, and *Pidalion* or *Rudder*, is also the name of the largest Greek collection of canons.

221. "When you have lifted up the Son of man, then you will know that I am he, and that I do nothing on my own authority but speak thus as the Father taught me" (John 8:28–29).

222. "He who hears you hears me, and he who rejects you rejects me, and he who rejects me rejects him who sent me" (Luke 10:16).

The Church receives "with gladness the divine canons, holding fast all the precepts of the same, complete and without change, whether they have been set forth by the trumpets of the Spirit, the renowned Apostles, or by the Six Ecumenical Councils, or by Councils locally assembled for promulgating the decrees of the said Ecumenical Councils, or by our Holy Fathers" (c. 1 VII).

Clergymen are not allowed to do anything without the approval of their bishops (c. 39 Ap; c. 57 Laodicea).

Clergymen are required to be obedient to their superiors. Those who refuse to submit to their superiors should be punished (c. 31, 39, 55 Ap; c. 8, 23 IV; c. 17 VI; c. 57 Laodicea; c. 5 Antioch; c. 10, 11, 31 Carthage).

A metropolitan who falls into the heresy of Nestorius or Celestius forfeits his claim to the obedience of his provincial bishops (c. 1 III).

Clegymen who are not obedient to their bishops should be subject to canonical censure. Monastics and laypeople who are disobedient should be excommunicated (c. 8 IV; c. 31 Carthage; c. 13 Constantinople I–II).

Clergymen who insult the bishop should be deposed (c. 55 Ap).

Clergymen and monastics may not leave their eparchy without the approval of their bishop (c. 23 IV). Those who disregard this rule should be excommunicated (c. 17 VI).

If the hierarch of a clergyman preaches on a teaching condemned by the Church, that clergyman should separate from his hierarch and remain on the side of Orthodoxy (c. 15 Constantinople I–II). See also SCHISM.

OBEDIENCE, TO CIVIL AUTHORITIES: The Church and the state are two distinct institutions, each having a specific objective; between them, cooperation develops in order that spiritual and material needs of the population might be met. In essence, the Church's interest is spiritual; it is in this context that one should understand Christ's words "Render therefore to Caesar the things that are Caesar's and to God the things that are God's" (Matt. 22:21). In other aspects of life, the Church defers always to civil authority, as the Church lives in an organized society. The Church respects and obeys the laws of the society and prays for the leaders of that country; however, this does not mean that the Church has to agree with all aspects of life in that society. Out of this complex relationship between Church and society, Canon Law established rules and

penances concerning both the obedience and the disobedience of civil authorities.

The boundaries of the dioceses should follow the administrative, civil divisions, "and if any city has been, or shall hereafter be newly erected by imperial authority, let the order of the ecclesiastical parishes follow the political and municipal example" (c. 17 IV).

People who belong to the clergy should persevere in their work and not become involved in the work of civil society. Clergymen and monks are forbidden to act as agents of laypeople—that is, they should not lease or rent property, or engage in business, or preoccupy themselves with worldly engagements; the only exception is the guardianship of minors when the law so requires (c. 3 IV).

A clergyman is not allowed to address the emperor, the civil authority, without the consent of the metropolitan and of the provincial bishops; if he dares to do so, he should be publicly deposed (i.e., defrocked) and cast out from communion and the rank (c. 11 Antioch).

Those who have been enrolled among the clergy or have been made monks shall accept neither a military charge nor any secular dignity; if they break this rule, they should be pronounced anathema (c. 7 IV). See also DISOBEDIENCE, TO CIVIL AUTHORITY.

OBLATION: In Canon Law the word *oblation* refers to the preparation of Holy Communion but also, in a larger sense, to the celebration and to the reception of the sacrament. *Eucharist* refers mainly to the Holy Gifts, and *communion* to the status of a communicant that entitles him to be present at the celebration and to receive the sacrament. Nowadays, *oblation* is understood mostly as the preparation of Holy Communion, or *proskomide.* See OBLATION/*PROSKOMIDE.*

The oblation may not be made in a private house (c. 58 Laodicea).

During Great Lent, the oblation may be made only on Sundays and Saturdays (c. 49 Laodicea).

The oblation, the distribution of Holy Communion, is completed after the kiss of peace (c. 19 Laodicea).

Communicants are required to remain in the church for the reading of the Scriptures and for the oblation, the distribution of Holy Communion (c. 9 Ap; c. 2 Antioch).

At the time of oblation, incense may be offered at the altar (c. 3 Ap).

The oblation may not be offered by a lapsed priest, even if restored (c. 1 Ancyra). The oblation may not be offered by a clergyman who confessed a bodily sin committed before his ordination (c. 9 Neocaesarea). The oblation may not be offered by a deacon (c. 18 I).[223]

Country priests may not make oblation in the church of the city when the bishop or the presbyters of that city are present; however, when they are away, the country presbyters may make oblation (c. 13 Neocaesarea); in the same situation, the *chorepiscopos* may make oblation (c. 14 Neocaesarea).

A married priest may make oblation; those who deny this should be anathema (c. 4 Gangra).

All clergymen are required to partake when the oblation is made; if they abstain, they should give a reason for abstaining. If they refuse to give a reason, they should be excommunicated (c. 8 Ap). A deacon may not receive the oblation before the bishop or the priest; he shall receive it from the hands of the bishop or the priest (c. 18 I).

People converted from heresies, after they have anathematized them and been instructed in faith, may be chrismated; so they shall communicate in the Holy Mysteries (c. 7 Laodicea).

Those who have been baptized must after baptism be anointed with heavenly chrism and be partakers of the Kingdom of Christ (c. 48 Laodicea).

Oblation—that is, Holy Communion—is not to be granted to individuals under penance (c. 11, 12 I; c. 4, 5, 6, 7, 8, 9, 22, 24 Ancyra). However, oblation—that is, Holy Communion—is not to be refused to the dying in any case (c. 13 I), even if they are under penance (c. 6, 16, 22 Ancyra; c. 2 Neocaesarea). The dying are to be examined by the bishop before receiving the Eucharist (c. 13 I).

Bishops and priests are not allowed to receive the oblation of the heretics; if they receive it, they should be deposed (c. 46 Ap).

223. The ban on deacons' offering oblation should be understood as follows: deacons are not allowed to prepare the oblation, they are not allowed to receive the Eucharist before bishops and priests, and they are not allowed to touch the chalice or the paten before being handed them; however, after the *epiclesis*, they are allowed to distribute Holy Communion to the faithful.

See also COMMUNION/EUCHARIST. For particulars concerning those excluded from Holy Communion, see PENANCE.

OBLATION/*PROSKOMIDE* (ACCIDENTS DURING): Possible accidents with the Lamb are dealt in the entries dedicated to the LAMB and LAMB (LOST OR DAMAGED). This entry deals with other types of accidents.

If the Holy Gifts are accidentally spilled or dropped before the Great Entrance, the priest should interrupt the Divine Liturgy and perform another oblation (*proskomide*) and then continue the Divine Liturgy from the point at which it was stopped (EL 1202).

If the Holy Gifts are spilled, the priest should collect all the remnants and place them in the special drain under the altar table or bury them in a clean place (EL 1204).

If the asterisk falls from the paten and especially if particles fall too, the priest should be suspended from services for forty days (EL 1205).

If a priest forgets to pour communion wine into the chalice and discovers this before the Great Entrance, he should interrupt the Divine Liturgy, add wine and cold water to the chalice, saying the appropriate prayer, and continue the liturgy from that point on.[224] If he discovers that there is no wine in the chalice after the Great Entrance, he should interrupt the liturgy, do the oblation from the beginning, and then continue the liturgy from the point of interruption. Then the priest should confess to his bishop in order to receive the appropriate penance (EL 1241).

If the priest forgets to add cold water to the chalice during the oblation and he discovers this before the Great Entrance, he should add it with the appropriate prayer; if he discovers the omission after the Great Entrance, he should not add cold water but rather add the *zeon*, hot water. Then the priest should confess to his bishop in order to receive the appropriate penance (EL 1242).

OFFERINGS (FOR OBLATION): As offering for oblation, "it is not right to bring honey and milk to the altar" (c. 57 VI; c. 3 Ap).

For Holy Communion, "nothing else shall be offered than that which the Lord ordained, that is to say, bread and wine mixed with water"; the firstfruits, such as grapes and corns or honey and

224. The prayer says, "One of the soldiers pierced his side with a spear, and once came out blood and water."

milk should be received, but they should be blessed with their own benediction, separately from the sacraments of the Lord (c. 37 Carthage).

Offerings for oblation should be brought only by the people who have fasted; though after the offering (i.e., the liturgy) of Holy Thursday, the fast should not be broken but must continue until after the Resurrection (c. 29 VI).

Liturgies should not be offered after lunch, as those who brought offerings for oblation are supposed to fast on that day (c. 47b, Carthage).

In the situation when someone dies toward evening and the clergymen (i.e., bishops or priests) have eaten lunch, they should serve only the funeral of the memorial service and not the Divine Liturgy, as they did not fast prior to it (c. 41 Carthage).

The offerings for oblation should be used for Holy Communion (Eucharist) and blessed bread (antidoron); if more than needed were brought, the clergy and the faithful may eat and drink them, but the catechumen may not (c. 8 Theophilos of Alexandria).

In the old church, people brought one *prosphora* and one candle for each person who wished to be commemorated at the Divine Liturgy; later, three or more people were commemorated from one *prosphora* and had one candle lit (c. 11 Nicephorus the Confessor).

The communion wine should be made from sweet grapes and should be not mixed with juice or raki or other spices; at the oblation, cold water should be added (about one-eighth) and during the Divine Liturgy hot water, *zeon*, should be added (again, about one-eighth; EL 1239).

The chalice should be not blessed at the oblation in the same way as is done at the prayer of transformation (μεταβολή; c. 12 Nicephorus the Confessor).

The holy vessels—chalice, paten, asterisk, spear, communion spoon, and the three covers—should remain always in the church (EL 1237).

A priest should not celebrate the Divine Liturgy without *zeon* unless under stress of great necessity and hot water is not available (c. 13 Nicephorus the Confessor).

If a priest receives an offering fom a faithful person for the commemoration of living and dead, that offering is invisibly written by the angels of God, and the priest who fails to commemorate the

names or does not take particles for those names will be subject to divine punishment (EL 1200).

Offerings should be received only from the faithful people—that is, those reconciled with the Church through the sacrament of confession; similarly, offerings for oblation may not be received from women married to heretics or pagans even if they are devoted and pious. From these women the priest may receive oil and candles, and prayers should be said for their salvation, but no particles should be taken for them in the Divine Liturgy; instead, holy water and antidoron should be given to them (Symeon of Thessalonika, IX.470).

OFFERING/GOODS/REVENUE: The clergymen should divide among themselves the offering received from the people (c. 4 Ap; c. 8 Theophilos of Alexandria).

One who receives offerings in the name of the Church and gives them outside of the Church or distributes them without the approval of the bishop or of the *economos* should be anathema (c. 7 Gangra).

Only the bishop or the *economos* should receive the fruits (i.e., revenue) of the church. Otherwise, both the giver and the receiver should be anathema (c. 8 Gangra).

The revenues of the church should be administered by the bishop under the advisement of the clergy from the eparchy; however, the bishop may not use more than his needs and may not appoint his relatives in the administration of these funds (c. 25 Antioch; c. 41 Ap).

The revenue of the church should be used for the needs of the church, for the welfare of the clergy, for widows, orphans, and strangers (c. 41, 59 Ap; c. 10, 11 Theophilos of Alexandria).

The revenue of a vacant diocese should be administered by the *economos* of that diocese (c. 25 IV).

OFFICE: Those who have been enrolled among the clergy or took monastic vows may not accept a military or secular office; if they repent and return to their calling, they should be forgiven; otherwise, they should be anathematized (c. 7 IV).

A priest may not be convicted of any bodily sin on the evidence of a single witness: two or three witnesses are needed. If the charge is proved, let him cease to hold the clerical office (c. 2 I).

A steward who obtains his office for money, through simony, should be deposed (c. 2 IV).

A suspended clergyman may not be received by a bishop or allowed to perform divine offices; if the bishop does that, as a teacher of disorder, he shall be excommunicated (c. 16 Ap).

A priest is not allowed to serve in the military; if he wants to retain both the magistracy and the priestly office, let him be deposed (c. 83 Ap).

A priest may not allow the heretics to perform any clerical office; if he does so, he should be deposed (c. 45 Ap).

If any bishop, presbyter, or deacon, having been justly deposed upon open accusations, dares to meddle with any of the divine offices that have been entrusted to him, let him be altogether cut off from the Church (i.e., defrocked; c. 28 Ap; c. 4 Antioch; c. 88 Basil the Great).

If one was ordained as a neophyte or was ordained without examination and eventually a serious sin or crime was discovered through the evidence of two or three witnesses, let that person cease to hold the clerical office (c. 2, 9 I; c. 9, 10 Neocaesarea).

A presbyter who confesses that before ordination he committed a carnal sin may remain in the priesthood, but he shall not make oblation, though he retains the honor of the office on account of his zeal and repentance (c. 9 Neocaesarea).

If any duly elected bishop not received by the diocese for which he was elected invades other dioceses, stirring up seditions against the ruling bishops of those dioceses, let him be suspended from office and communion. But if he is willing to accept a seat among the presbyters and lead his former parish, let him not be deprived of this honor. But if he acts seditiously against the bishops established there, the honor of presbyterate should be taken away from him, and he should be expelled (c. 18 Ancyra).

A clergyman condemned by an ecclesiastical court may not be defended either by the churches over which he presided or by anyone whatsoever (including the emperor or other civil authority), under pain of monetary fine and losing the office; age and sex may not be used as excuses (c. 62 Carthage).

OIL: A bishop or presbyter must offer at the altar only those things that the Lord ordained for the sacrifice; at the time of the holy oblation, he may receive only oil for the lamps and incense (c. 3 Ap).

Christians are not allowed to bring oil to the feasts celebrated in a temple of the heathen or into a synagogue of the Jews; if they do so, they are to be excommunicated (c. 71 Ap).

The misappropriation of oil of the Church is not permitted; if that is done by a clergyman or layperson, he or she should be excommunicated and required to restore the amount plus one-fifth more (c. 72 Ap).

During Great Lent monastics should not work in the gardens; so they should not receive release to consume wine and oil (c. 16 Nicephorus the Confessor).

On Sundays of Great Lent Orthodox Christians celebrate the liturgy of Basil the Great . . . as for eating, they eat vegetable with oil and also receive release to consume wine but not fish (*Great Typikon* in EL 1574).

OIL (IN BAPTISM): Oil is used in the sacrament of baptism, pouring some blessed oil into the baptismal font and also anointing the body of the candidate for baptism. The following belong to the ritual of baptism: exorcism, renunciations, blessing of the baptismal water, anointing with oil, triple immersion, and anointing with myrrh—that is, chrism (c. 91 Basil the Great).

The bishop shall anoint the head of those who are to be baptized, whether they be men or women, with holy oil, for a type of spiritual baptism (AC 3.16).

In baptism the candidate "is given into the death of Jesus Christ; the water is instead of the burial, and the oil instead of the Holy Spirit; the seal instead of the cross; the ointment is the confirmation of the confession; the mention of the Father as of the Author and Sender; the joint mention of the Holy Spirit as of the witnesses; the descent into the water the dying together with Christ, the ascent out of the water the rising again with him" (AC 3.17).

OPPOSITION: If two or three bishops in a province form a factious opposition against the election of a bishop, and if the ecclesiastical law is not disregarded, the majority prevails over the minority (c. 6 I; c. 19 Antioch).

A clergyman who shows crass disobedience and lasting opposition to the truth should be deposed (c. 31, 55, 84 Ap; c. 10 IV; c. 10 VI; c. 15 Antioch; c. 13, 14, 15 Constantinople I–II).

The Bishop of Antioch does not have jurisdiction over Cyprus, where he ordained clergy in opposition to the canons of the blessed Fathers and the ancient custom (c. 8 III).

ORARIUM: A subdeacon has no right to wear an orarium, nor to leave the doors (c. 22 Laodicea).[225] Readers and singers have no right to wear an orarium (c. 23 Laodicea).

ORATORY/PRAYERHOUSE/CHAPEL: Oratories, prayerhouses, and chapels are places of worship erected by laypeople or monastics, and usually they are not consecrated and do not have a priest assigned.

People may not build an oratory or a chapel without the approval of the bishop (c. 4 IV; c. 10, 17 VII). Again, in the establishment of a monastery or oratory the consent of the bishop is required; those who disregard this judgment should be excommunicated (c. 4, 24 IV).

Neither the bishop nor the presbyter may make oblation in a private house (c. 58 Laodicea). Zonaras pointed to the fact that the faithful may pray anywhere; however, Holy Communion may be prepared only in a church and on the altar. Clergymen who perform liturgies or baptize in oratories without the approval of the bishop should be deposed (c. 31, 59 VI; c. 10 VII).

ORDAINER: If the ordaining bishop, the ordainer, sells ordination for money or favors, he should be deposed and excommunicated; the same sanction applies to those who have sought and received the ordination in this way (c. 29 Ap; c. 2 IV).

A bishop who grants a second ordination should be deposed, along with the clergyman who receives it, unless the first ordination was void, having been done by heretics (c. 68 Ap).

A bishop is not allowed to bequeath his see to his heirs through episcopal ordination. If he does so, the ordination should be void, and the ordainer should be excommunicated (c. 76 Ap).

225. This canon refers to the orarion of the deacons, the one that is attached to the right shoulder, comes across the chest, and passes underneath the left arm; thus, one end is held on the forearm of the right hand and the other falls down along the back. As for not leaving the doors, in the early Church, subdeacons were in charge of the catechumens and the penitents; thus, at the proper time in the Divine Liturgy they would lead them in or out. Nowadays, the main task of the subdeacon is to take care of the altar and to assist the deacon and the priest.

A bishop is not allowed to ordain a neophyte, for the neophyte needs a time of probation; the ordainer of the neophyte will imperil his own clerical position as a clergyman who disobeys the great synod (c. 2 I).

If any presbyters have been advanced without examination and later it is discovered that they had committed a crime, or if upon examination they have made confession of a crime, they should be deposed or have the ordination stopped. If the ordaining bishop knew about the crime, he should also be deposed (c. 9 I).

Ordaining a priest, deacon, or anyone on the sacerdotal list without a charge (i.e., assignment) makes ordination inoperative; consequently, the ordained will not be allowed to officiate (c. 6 IV).

A bishop may not put to sale a grace that may not be sold, and any ordination or appointment done for money should be without effect, and the ordainer should forfeit his rank, subject to degradation (c. 2 IV; c. 22 VI).

A bishop should not go from city to city ordaining people except by the will of the bishop of the city; otherwise, the ordination shall be void and he himself exposed to canonical censure (c. 22 Antioch).

ORDER (*TAXIS*): "Let not the presbyters or deacons do anything without the sanction of the bishop" (c. 39 Ap). Likewise, presbyters in the countryside and villages may not do anything without the approval of the bishop of the city (c. 57 Laodicea).

Presbyters may not enter and take seats in the bema (i.e., the high altar) before the entrance of the bishop unless the bishop is sick at home or absent (c. 56 Laodicea).

Deacons may not sit in the presence of the presbyter unless he bids them to sit down; "likewise the deacons shall have worship of the subdeacons and all the inferior clergy" (c. 20 Laodicea).

Deacons should commune after the priests, for "they are the ministers of the bishop and the inferiors of the presbyters" (c. 18 I; c. 7 VI).

ORDINATION (GENERAL): The sacrament of ordination, or holy orders, has scriptural roots in John 15:16, Acts 1:26, and Acts 6:3–6.

The priestly ministry of Jesus Christ is perpetuated in the Church through the ministerial priesthood, viewed in two categories: major orders (deacon, priest, bishop) and minor orders (acolyte, reader,

singer, subdeacon). The members of the major orders are ordained during the Divine Liturgy through the laying on of hands (*cheirotonia*), while the members of the minor orders are blessed for the service and the blessing takes place outside of the Divine Liturgy (*cheirothesia*).

Cheirotonia is done only for the priestly ranks of deacon, priest, and bishop. As canonical prescriptions for the ordination of the deacon and the priest are in some ways different from those for the ordination of the bishop, the latter is treated under a specific entry. See ORDINATION, TO BISHOPRIC.

A bishop should be ordained by two or three bishops (c. 1 Ap). C. 4 I; 3 VII; c. 13, 49 Carthage, c. 1 Constantinople (394) require that a bishop be ordained in the presence of the metropolitan and many bishops. If the ordination of a bishop is not done according to canonical prescriptions, "the ordination shall be of no force" (c. 19 Antioch).

A bishop may consent in writing to the ordination of a bishop if personal attendance is impeded because of urgent necessity or distance (c. 4 I; c. 19 Antioch).

A bishop should be ordained to his see within three months of its becoming vacant unless some inevitable necessity occurs (c. 25 IV).

A *chorepiscopos* is to be ordained by a bishop (c. 10 Antioch). A presbyter, a deacon, and other clergy may be ordained by their bishop (c. 2 Ap). The minor clergy are to be ordained by a bishop (c. 2 Ap), but readers, subdeacons, and exorcists may be ordained by a *chorepiscopos* (c. 10 Antioch).

A bishop who ordains clergy in other eparchies without the approval of competent bishops should be deposed, along with those ordained by him (c. 35 Ap; c. 16 I; c. 2 II; c. 8 III; c. 13, 22 Antioch; c. 3 Sardica).

An ordination performed by heretics is not valid (c. 68 Ap). Ordinations of the Paulianists are not valid (c. 19 I), and ordinations done by Maximus the Cynic are not valid (c. 4 II). Ordinations performed by the Cathari are valid, but they shall profess in writing that they will observe and follow the dogmas of the catholic and apostolic Church (c. 8 I).

Ordination of those who have been steadfast throughout persecution, though forced to appear otherwise, is permitted (c. 3 Ancyra).

Before an ordination to the bishopric, the candidate should be examined concerning his knowledge of the sacred canons, the Holy Gospel, the book of the Apostle and the whole of the Divine Scripture, (c. 2 VII).

The ordination conducted by a deposed bishop is not valid (Answer to question 13, Theodore of Studium).

An ordination may not be repeated (c. 68 Ap; c. 48 Carthage).

A neophyte may not be ordained presbyter or bishop; before becoming a teacher of others, he must be tried. However, such an ordination may take place if there is a manifestation of divine grace in his favor (c. 80 Ap; c. 2 I).[226]

Ordination may not be offered to those who were baptized through emergency, or clinical, baptism (c. 12 Neocaesarea).

Ordination may not be offered to those who swore that they would be not ordained (c. 10 Basil the Great).

A clergyman who was ordained through simony should be deposed; the same for the one who ordained him (c. 29 Ap; c. 2 IV; c. 22 VI; c. 19 VII; c. 90 Basil the Great; Letter of Gennadius of Constantinople; Letter of Tarasius of Constantinople).

A bishop may not ordain outside his territorial jurisdiction—that is, the province of the diocese (c. 35 Ap; c. 2 II; c. 8 III; c. 22 Antioch)—unless he received written invitation from the bishops of the province where the ordination takes place (c. 13 Antioch).

A *chorepiscopos* is not allowed to ordain priests beyond his own district, and surely not priests of a city, without a written commission from the bishop of the city (c. 13 Ancyra).

A *chorepiscopos* is allowed to ordain minor clergy (readers, subdeacons, exorcists); he may ordain priests or deacons but only with the approval of the bishop of the city (c. 10 Antioch).

Ordination is an impediment to marriage, from subdeacon to the highest rank in the Church, bishop (c. 26 Ap; c. 6 VI; c. 1 Neocaesarea).

Ordination should be bestowed only after a serious examination of the candidates to the ministry; in the examination, moral and intellectual qualities are to be judged, "for the catholic Church requires only that which is blameless" (c. 9 I; c. 33 VI; c. 12 Laodicea; c. 18 Carthage; c. 89 Basil the Great; c. 4 Cyril of Alexandria).

226. Fabian was elected Pope of Rome by acclamation after a dove landed on his head.

An ordination bestowed on one who does not meet the requirements is uncanonical, and the person is to be excluded (i.e., deposed) from the clergy (c. 9, 10 I).

A presbyter who confesses that before ordination he committed a carnal sin may remain in the priesthood, but he shall not make oblation, though retaining the honor of the office on account of his zeal and repentance, for "the majority have affirmed that ordination blots out other kinds of sins" (c. 9 Neocaesarea). But if he does not confess and cannot be openly convicted, the decision to abstain from making oblation shall depend on himself (c. 9 Neocaesarea).

Social origin, or class, is not an impediment to ordination (c. 33 VI).

Children born out of wedlock or from a second or third marriage of their parents and who are found worthy for ministry should be ordained (c. 8 Nicephorus the Confessor).

Ordination without assignment—that is, ordination at large—is not valid (c. 6 IV).

A man whose wife committed adultery may not be ordained (c. 8 Neocaesarea).

Ordination may not be bestowed on a candidate who has in his family heterodox (non-Christian) people (c. 36 Carthage).

An unworthy clergyman should be deposed (c. 9 I; c. 3 Theophilos of Alexandria).

ORDINATION, TO BISHOPRIC: The bishopric, or episcopate, is the highest rank in the Orthodox Church. As the Holy Apostles received the same Holy Spirit and were equal with one another, so are the bishops. The titles *metropolitan*, *archbishop*, and *patriarch* are merely administrative titles and not religious ranks; that understanding is proved by the fact that there is no sacrament of ordination for those positions but rather a rite of installation.

Every bishop is responsible in his eparchy for the organization of the clergymen, for the ministries and the defense of the faith, and for the promotion of moral life among the clergy and laity (c. 38, 41 Ap).

In the Church there is an administrative order, and from the time of the early Church, the bishop of the capital held precedence of honor over the bishops from the provinces. In the administrative order, under the bishop of the city there are *chorepiscopoi*, or vicars, and above the bishop of the city are metropolitans, archbishops,

and patriarchs (c. 34 Ap; c. 4 I; c. 2 II; c. 28 IV; c. 57 Laodicea; c. 9 Antioch).

Canonical examination is required at the ordination of any clergyman, and even more so at an ordination to the bishopric (AC 1.1–6).

Many of the qualities or virtues expected in a candidate to the bishopric are mentioned in the first book of the *Apostolic Constitutions* (AC 1.5).

Bishops and clergymen are not to be ordained unless they have made all their family Christians (c. 36 Carthage).

In the early Church, some bishops were married and some were celibate. Once monasticism developed, many bishops were recruited from among the monastics. The Sixth Ecumenical Council does not allow ordination to the bishopric of married candidates (c. 12 VI). State law of the time required the same.[227] Through c. 2 Constantinople (Holy Wisdom) it was declared that a bishop may not renounce the episcopal dignity and become a monk, as he is suppose to teach and lead, not listen and obey. Balsamon, commenting on this canon, raised the question whether a monk should be promoted to the bishopric; his answer is that only a monastic with the great schema[228] should not be promoted (c. 2 Constantinople [Holy Wisdom]).

A candidate to the bishopric is elected by the synod and accepted by the metropolitan (c. 4, 6 I; c. 25 IV; c. 12 Laodicea; c. 13, 50 Carthage; c. 19, 23 Antioch; c. 3 VII).

A bishop is ordained by two or three bishops (c. 1 Ap; c. 49 Carthage).

Let not a bishop, presbyter, or deacon put away (divorce) his wife under the pretext of piety; if he put her away, let him be excommunicated, and if he persists, let him be deposed (c. 5 Ap).

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227. A candidate to the bishopric has to spend at least six months in monastic or clerical life. He is not to have a wife, children, or grandchildren. If someone disregards this law, he should be cast out from among the clergy, and the ordainer should be deposed. So bishops should be recruited only from among the monastics or from among the clergymen who lived a celibate life (Justinian, Novel 6.1).

228. Great schema (μέγα σχῆμα is the highest religious position among the monks; in Balsamon's view, the great schema monks spent too much time in listening and obeying, and may not be able to raise to a position (bishopric) where they needed to teach and lead (Commentary to the canon by Milash; see, Milash 2.1:330).

If any bishop obtains possession of a church through the aid of temporal powers [secular authorities], let him be deposed and excommunicated, along with all who communicate with him (c. 30 Ap).

Let not a bishop ordain beyond his own [territorial boundaries]; if he is convicted of doing so, without the consent of those persons who have authority over such places, let him be deposed, and those also whom he has ordained (c. 35 Ap).

If any person having been ordained bishop does not undertake the ministry and the care of the people entrusted to him, let him be excommunicated until he does undertake it. In like manner a presbyter and a deacon. But if the bishop has gone and was not received because of the perverseness of the people, let him remain a bishop, and let the clergy of that city be excommunicated (c. 36 Ap).

If anyone is deprived of an eye or lame of a leg but in other respects worthy of the bishopric, he may be ordained (c. 77 Ap).

If a man is deaf or blind, he may not be made a bishop, so the affairs of the Church may not be hindered (c. 78 Ap).

If anyone is possessed by a devil, let him not be made a clergyman, neither let him pray with the faithful; but if he is freed of possession, let him be received in communion, and if worthy he may be ordained (c. 79 Ap).

A man coming from a heathen life is not allowed to be quickly baptized and made a bishop, for it is not right that he who has not been tried himself should become a teacher of others unless this is done because of a manifestation of divine grace in his favor (c. 80 Ap).

It is proper that a bishop should be chosen by all the bishops of the Province, but if this is difficult on account of distance, at least three should meet together, and the votes of the absent bishops (in writing) should be procured; then the ordination should take place. But in every province the ratification of election should be left to the metropolitan (c. 4 I).

It is universally understood that the election of a bishop should be ratified by the metropolitan. If, however, two or three bishops, from the natural love of contradiction, oppose the common suffrage of the rest, then let the choice of the majority prevail (c. 6 I).

As some metropolitans neglected the need of the flock and delayed the ordination of the bishops for them, the holy synod decided that the ordinations of bishops should take place within three months unless some inevitable necessity delays the election. The metropolitan at fault should be liable to ecclesiastical penalty, and the income of the widowed church (i.e., diocese) should be kept safe by the steward of that church (c. 25 IV).

Although it has been decreed that wives are not to be cast forth [abandoned], nevertheless the bishops shall no longer live with their wives. But if someone disregards this decree, let him be deposed (c. 12 VI).

Whoever is to be a bishop must know the Psalter by heart: he must understand thoroughly what he reads, not merely superficially; rather, with diligent care he must study the sacred canons, the Holy Gospel, the book of the divine Apostle [Paul], and the whole of the divine Scriptures. And should he not have such knowledge, he is not to be ordained (c. 2 VII).

Let every election of a bishop, priest, or deacon made by the princes stand null, according to the canon of the Holy Apostles (c. 30 Ap). The candidate to a bishopric must be chosen by bishops, as was decreed by the Holy Fathers at Nicaea (c. 4 I; c. 3 VII).

It is not lawful for *chorepiscopoi* to ordain presbyters, deacons, and most assuredly presbyters of the city, without the consent of the bishop given in writing (c. 13 Ancyra).

If any duly elected bishop not received by the diocese for which he was elected invades other dioceses, stirring up seditions against the ruling bishops of those dioceses, let him be suspended from office and communion. But if he is willing to accept a seat among the presbyters and lead his former parish, let him not be deprived of this honor. But if he acts seditiously against the bishops established there, the honor of the presbyterate should be taken away from him and he should be expelled (c. 18 Ancyra).

A *chorepiscopos* ordains exorcists, readers, subdeacons, and singers, but not a presbyter or a deacon without the consent of the bishop of the city. A *chorepiscopos* is to be appointed by the bishop of the city to which he is subject (c. 10 Antioch).

A bishop shall not be ordained without a synod or without the presence of the metropolitan of the province. The metropolitan should invite, by letter, all the bishops of the province, and at least a majority of the bishops must be secured, so the election of the bishop should be made in the presence and with the consent of the

majority. But if the appointment is done contrary to these decrees, the ordination shall be of no force. If the appointment is done with the majority of votes, and some bishops object through natural love of contradiction, let the decision of the majority prevail (c. 19 Antioch).

A bishop should not go from city to city ordaining people, except by the will of the bishop of the city; otherwise, the ordination shall be void, and he himself exposed to canonical censure (c. 22 Antioch).

A dying bishop shall not appoint another bishop as his successor. But when he is dead, a worthy successor shall be appointed by the synod with the judgment of the bishops (c. 23 Antioch).

Bishops are to be appointed to the ecclesiastical government by the judgment of the metropolitans and neighboring bishops, after having been long proved both in the faith and conduct (c. 12 Laodicea).

When election of bishops takes place, all the bishops should be invited; if one stays away, even after being reminded in writing, and he does not even reply, the election will go forth without him. Bishops should be ordained in cities and not in villages and small towns—basically, wherever other bishops have been ordained before. If a city grows so much as to be worthy of a bishop, let it receive one (c. 6 Sardica).

A bishop should be ordained with the consent of the primate of the province and of many bishops assembled in synod. But if there is a necessity, with the approval of the primate, three bishops should ordain the candidate. If one of the bishops consents to the ordination, signs it off, and then retracts his decision, that bishop will deprive himself of the honor of being a bishop; he will be deposed (c. 13 Carthage).

Fewer than three bishops do not suffice for the ordination of a bishop (c. 49 Carthage). But if any controversy arises concerning a bishop who has been elected by three bishops, let one or two more be enlisted, and so let there be an examination made of his affairs; and if it appears that he is pure, let him be ordained (c. 50 Carthage).

The bishop of Carthage, as *primus totius Africae*,[229] has the privilege to ordain and install bishops and to transfer clergymen from

229. That is, "first over all [bishops of] Africa."

one eparchy to another as is needed for the province and with the consent of the local bishops (c. 55 Carthage).

Bishops who were ordained for dioceses are not allowed to invade others or to choose for themselves their dioceses (c. 56 Carthage).

No bishop is allowed to leave his chief cathedral and go to another church built in the diocese, or to neglect the care of the cathedral and of people by reason of personal affairs (c. 71 Carthage).

A bishop who spurns the care of heretics and after being warned continues for six months in his contempt, taking no care for their conversion, is to be excommunicated (c. 123 Carthage).

ORDINATION, TO MAJOR ORDERS: Ordination to the major orders, or *cheirotonia*, is done for the priestly ranks of deacon, priest, and bishop. As canonical prescriptions for the ordination of deacons and priests are in some ways different from those for the ordination of bishops, the latter is treated in a specific entry. See ORDINATION, TO BISHOPRIC.

Ordination of deacons and priests is performed by the bishop throught the laying on of hands, a sign by which the grace of ordination is passed on in a continuous line from the Holy Apostles.

Ordination to the major orders is done always during the Divine Liturgy of St. John Chrysostom or of St. Basil the Great. In a Divine Liturgy only one of each rank of clergy may be ordained. The ordinations take place in the altar because the ordained will perform the Church's services there.

Candidates for ordination are to be examined concerning some canonical conditions: baptism, sex, health, devotion, worthiness: "He [Christ] has appointed that out of every nation the best should be ordained for the priesthood; and that not their bodies should be examined for blemishes, but their religion and their lives" (AC 6.23).

A clean, regular life is not sufficient for a candidate, but cultural, theological, and ethical knowledge is also required that will make him superior to other people, as for great tasks are needed great people (c. 80 Ap; c. 2 I; c. 80, 89 Basil the Great).

A canonical examination of the candidate is done by the bishop with the help of the spiritual father and the candidate's teachers. The spiritual father who signs the *synmartyria* must examine the candidate and ensure that canonical requirements are met: requirements concerning sins of disqualification, personal life, and family life (c.

17, 18, 19 Ap; c. 3, 14, 18, 26, 33 VI; c. Neocaesarea c. 10 Laodicea); requirements concerning wife, children, relationships with people and authorities (c. 6, 26, 81, 83 Ap; c. 3, 7, 30 IV; c. 16 Carthage; c. 11 Constantinople I–II; c. 4, 9, 17, 76 VI); requirements specific to celibate and monastic candidates concerning themselves (c. 1, 8, 9, 10 Neocaesarea (c. 3, 13, 40, 44 VI; c. 60, 70 Basil the Great), concerning fellow people (c. 58, 59 Ap; c. 2 I; c. 19 VI), and concerning God (c. 8, 9 Ap; c. 12, 77 VI).

A presbyter, a deacon, and the rest of the clergy should be ordained by one bishop (c. 2 Ap).

He who has been twice married after baptism or who has had a concubine may not become a bishop, presbyter, deacon, or any other on the sacerdotal list (c. 17 Ap).

He who married a widow, a divorced woman, a harlot, a slave, or an actress may not be a bishop, presbyter, deacon, or any other on the sacerdotal list (c. 18 Ap).

He who married two sisters or a niece may not become a clergyman (c. 19 Ap).

If any bishop, presbyter, or deacon shall obtain possession of that dignity through simony, let both him and the person who ordained him be deposed and altogether cut off from all communion, as Simon Magus was by Peter (c. 29 Ap).

If any accusation is brought against a believer of fornication, adultery, or any forbidden sin, and he is convicted, let him not be promoted to the clergy (c. 61 Ap).

If any bishop, presbyter, or deacon shall receive from anyone a second ordination, let both the ordained and the ordainer be deposed unless indeed it is proved that he had been ordained by heretics (c. 68 Ap).

Ordination to the bishopric should be bestowed only on the candidates who have passed through the holy orders (i.e., reader, deacon, presbyter); "he shall remain in each order assuredly for no brief time" (c. 10 Sardica; c. 17 Constantinople I–II).[230]

230. Among those who skipped rank or term, the most famous are Ambrose of Milan and Nectarios, Patriarch of Constantinople. Nectarios was a lawyer in the legal department of the emperor Theodosius, who imposed his ordination when Gregory of Nazianzus resigned his position. In several days, Nectarios was elevated from catechumen to bishop and Patriarch of Constantinople and president of the Second Ecumenical Council. One story reports that those responsible were in such rush with his ordinations that they baptized him in his catechumen's robe.

If any presbyter has been advanced without examination, or if during examination some crime[231] was confessed, and in violation of the canons the ordination took place anyway, the ordination is inadmissible, for the catholic Church requires that which is blameless (c. 9 I).

No bishop, presbyter, or deacon should pass from city to city; if anyone attempts any such thing, he should be restored to the Church for which he was ordained (c. 15 I). No presbyters, deacons, or any of the clergy should leave their own church; every constraint should be applied to restore them to their own parish, and if they will not go, they should be excommunicated (c. 16 I).

A bishop may not put to sale a grace which may not be sold; any ordination or appointment done for money should be without effect, and the ordainer shall forfeit his rank (i.e., face degradation; c. 2 IV; c. 22 VI).

No presbyter, deacon, or anyone of the ecclesiastical order should be ordained at large; however, he may be ordained in the name of a parish from the city, or of the village, or of a martyry, or of a monastery; ordaining without charge makes the ordination inoperative, and consequently, the ordained will be not allow to officiate (c. 6 IV).

Let the canon of the Holy Fathers be confirmed, that a presbyter not be ordained before he is thirty years of age; even if he be a very worthy man, he should be kept back. For our Lord Jesus Christ was baptized and began to teach when he was thirty. In like manner, let no deacon be ordained before he is twenty-five, nor a deaconess before she is forty (c. 14 VI).

No clergyman shall be appointed over two churches (c. 15 VII).

Those who have offered sacrifices before their baptism may be promoted to the orders, inasmuch as they have been cleansed (c. 12 Ancyra).

One baptized when he was ill through clinical or emergency baptism may not be promoted to the presbyterate unless this is done on account of his subsequent zeal and faith and because of lack of men (c. 12 Neocaesarea).

He who has been recently baptized ought not to be promoted to the sacerdotal list (c. 3 Laodicea).

231. Not really a crime in the legal sense, but a major sin as blasphemy, bigamy, heresy, idolatry or magic.

Election of the candidates for ordination should not be done in the presence of catechumens and penitents (c. 5 Laodicea). Election of those who are to be appointed to the priesthood is not to be committed to the multitude (c. 13 Laodicea).

Bishops must not be appointed in villages or country districts, and those who have been appointed (*chorepiscopoi*) must do nothing without the consent of the bishop of the city. Presbyters, in like manner, must do nothing without the consent of the bishop (c. 57 Laodicea).

Before bishops or clerics are ordained, the provisions of the canons should be brought to their attention, lest they afterward repent of having through ignorance acted contrary to law (c. 18 Carthage).

No one should be ordained bishop, presbyter, or deacon before he has made all the members of his family Christians (c. 36 Carthage).

A bishop should not receive a foreign clergyman without the approval of the bishop of the province from which he came (c. 54 Carthage).

People who were baptized as children by the Donatists may be ordained if they repent, anathematize their heresy, and are otherwise worthy (c. 57 Carthage).

No layman or monastic should be promoted at once to the episcopal dignity; he should pass through all the ranks, staying in each at least five years (c. 17 Constantinople I–II).

If someone swears that he will not accept an ordination, do not force him to break his oath (c. 10 Basil the Great).

It seems that the strictness of the canons of the Fathers was abandoned and that the discipline of the Church suffered, as some of the candidates did not have the priestly calling. St. Basil decided that the recruitment should be done by the *chorepiscopoi* after a strict examination and that the files of those worthy should be sent to him for approval (c. 89 Basil the Great).

Ordination for money (i.e., simony) is a grave sin that Basil wanted to extirpate; he threatened *chorepiscopoi* with deposition if they did not cease to practice simony (c. 90 Basil the Great).

All in holy orders should unanimously choose those who are to be ordained, and then the bishop should examine them; the bishop is to ordain them in the midst of the church, all who are in holy orders consenting, and the bishop with a loud voice asking the people who are then present whether they can give testimony to the parties

to be ordained. Ordinations are not to be not performed in private (c. 6 Theophilos of Alexandria).

A bishop is not supposed to ordain a candidate without examination; he must ensure that the candidate is worthy and that he is not excluded from the Church or from the monasteries; only those candidates who meet the requirements of the canons should be ordained (c. 4 Cyril of Alexandria).

A man who as a child was the object of sodomy should not be promoted to the priesthood; if an attempt at sodomization was made on him but not accomplished, he should be canonized appropriately, and access to ordination should not be denied to him any longer (c. 30 John the Faster).

One who lived a loose life twenty or more years and then repented and showed devotion may not be promoted to priesthood (c. 7 Nicephorus the Confessor).

Children born out of wedlock or from a second or a third marriage and who as adults are worthy should be ordained (c. 8 Nicephorus the Confessor).

One who was convicted of fornication should not be ordained (c. 36 Nicepohorus the Confessor). See also FORNICATION, OF CLERGYMEN.

ORDINATION, TO MINOR ORDERS: Ordination to the minor orders, or *cheirothesia*, is the ordination by a bishop's laying hands on subdeacons, readers, and singers. This ordination does not take place during the Divine Liturgy and is done outside the altar, as their ministry will be performed outside the altar. For readers and singers there is a common set of prayers, while for the subdeacons different prayers are said. The reader or the singer usually dons a rasson, while the subdeacon is vested with a sticharion and an orarium, always in shape of the cross. Readers and singer may be ordained from the age of eighteen, subdeacons from the age of twenty.

A reader or a singer may marry or remarry after ordination, but a subdeacon, if he wants to marry, should marry before ordination; only in special situations may he marry after ordination. The bishop may ordain more than one subdeacon or reader in a single service.

A *chorepiscopos* may ordain subdeacons, readers, and singer in his district with the approval of the bishop. The abbot of a monastery may ordain subdeacons, readers, and singers for his monastery (c. 14 VII; c. 5 Nicephorus the Confessor).

A subdeacon should not be ordained before the age of twenty; if ordained before this age, he should be deposed (c. 15 VI). Whoever is worthy of the ministry should be ordained whether he is sprung of a priestly line (as in Armenia) or not. And only those who have been ordained are to read Holy Scriptures from the pulpit. If anyone acts contrary to these directions, let him be cut off (c. 33 VI).

Subdeacons have no right to a place in the diaconicum nor any right to touch the Lord's vessels (c. 21 Laodicea).

Subdeacons must not give the bread or bless the cup (c. 25 Laodicea).

Subdeacons have no right to wear an orarium or to leave the doors (c. 22 Laodicea). Subdeacons may not leave the doors to engage in the prayer, even for a short time (c. 43 Laodicea).

A prayer attributed to St. Matthew is read in the ordination of a reader (AC 7.22).

Readers, when they come to maturity, should be compelled either to take wives or else to profess continence (c. 16 Carthage).

Presbyters and deacons convicted for serious crimes and who were removed from ministry (i.e., defrocked) may not be ordained readers or singers on the basis that now they are laypeople who are worthy because of their repentance (c. 27 Carthage).

A reader who has only once read in the church in which he was ordained may not be admitted into the clergy of another church (c. 90 Carthage).

ORGANIZATION: The Church's territorial organization follows the political and economic division of the country (c. 17 IV; c. 38 VI; c. 2 II). The organization of the church as a national church is acceptable (c. 34 Ap).

ORPHANS: Clergymen, acting under the direction of the bishop, should undertake the care of unprovided orphans, widows, and needy (c. 3 IV); they are expected to undertake the guardianship of orphans (c. 3 IV).

PACIFICAL LETTERS: See LETTERS.

PAINTINGS: "Let thine eyes look aright" and "keep thy heart with all care" (Prov. 4:23, 25). Any picture drawn, painted, or otherwise wrought that appeals to the eye fascinatingly and corrupts the mind and excites imflammatory urgings to shameful pleasures should not

be done; if anyone should attempt to do so, let him be excommunicated (c. 100 VI).[232] See also ICON.

PARENTS: Parents who forsake or neglect their children under pretense of asceticism should be anathematized (c. 15 Gangra). Children who forsake their Christian parents and do not offer them due reverence on the plea that they honor piety more than they honor their parents should be anathematized (c. 16 Gangra).

If an elopement takes place with the approval of the fiancée, proven by evidence before and after eloping, and if the parents have agreed, the Church will approve the eventual betrothal and marriage based on the consent of the parties (c. 92 VI; c. 67 Ap; c. 27 Carthage; c. 22, 30 Basil the Great).

Professed virgins who leave the house of their parents are commended to the care of a bishop or presbyter; if these guardians are absent for a time, they should commend the virgins to the care of older and virtuous women, lest they wander about and the reputation of the Church be hurt (c. 44 Carthage).

Parents should not deck out in silk and gold and jewels a daughter who has chosen the monastic life, for this recalls to her mind the world she is leaving (c. 45 VI).

Children born out of wedlock or from a second or third marriage of their parents and who are found worthy for ministry should be ordained (c. 8 Nicephorus the Confessor).

A woman who in her sleep rolls over an infant and kills it should be excluded from Communion for three years, though the attitude of the parents should be taken into consideration (c. 36 John the Faster).

If a newly born infant dies and was not baptized because of the negligence of the parents, the parents should be excluded from communion for three years, eating dry food and doing prostrations; if the infant was at least seven days old and dies unbaptized, the parents should be excluded from communion for seven years, eating dry food and doing forty prostrations daily (c. 37 John the Faster).

The parents of those who marry heterodox should be canonized with five years of excommunication, and the priest should be suspended for three years (EL 374).

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232. C. 100 VI (in Trullo) deals specifically with paintings, banning their use in the propagation of immorality; by extension, the canon condemns immorality in all arts.

PARDON: Pardon is an act of forgiveness offered those who have sinned or broken ecclesiastical law. Pardon is issued mainly by an ecclesiastical authority (e.g., bishop, synod) for a specific case and does not require penance. Through this act the person is immediately and fully reconciled with the Church.

The pardon offered by the heretic bishops to Orthodox faithful who received penances from Orthodox bishops is not valid (c. 5 III).

If a soldier presumed dead returns after a long time and finds his wife married to another man, if he wishes he may take her back, pardon being extended to her and to the second husband (c. 93 VI).

A bishop has the authority to consecrate myrrh, to consecrate virgins, to consecrate churches, and to pardon penitents (c. 6, 43, 126 Carthage).

A deposed clergyman who appeals to the emperor (i.e., civil authority) rather than to the synod is not entitled to pardon, loses the right to appeal before the synod, and may not have hope of restoration (c. 12 Antioch).

Women professing virginity, though they married while they were heretics or catechumens, are pardoned by baptism. What is done by people as catechumens is never laid to their charge (c. 20 Basil the Great).

PARRICIDE: One who willfully murders his father shall be canonized for thirty-five years (c. 43 Nicephorus the Confessor).[233]

PARISH (DIOCESE): The term *parish*, as used in the great majority of the canons, refers in fact to the territorial jurisdiction of the bishop, a territory nowadays known as a *diocese* or sometimes a *metropolis*. Diocese, from the Latin *dioceses*, was the name given by the emperor Diocletian to a group of provinces put under the administration of a vicar. In this entry, the word *parish* should be understood as a diocese.

233. In Roman society, some of the younger children would murder their fathers in order to obtain their inheritance and become head of the family (*paterfamilias*). Roman penal law sanctioned that crime with death by throwing the murderer from the Tarpeian rock. It seems that the crime was still perpetrated during the times of St. Nicephorus the Confessor (d. 828).

A bishop is not allowed to leave his own parish except under special circumstances and by special request—namely, at the "judgment of many bishops and at their earnest exhortation" (c. 14 Ap).

A bishop is not allowed to leave his parish without exception—he may not pass from city to city or be translated, enrolled in two churches, or appointed in two churches (c. 15 I; c. 5, 10, 20 IV; c. 21 Antioch).

A bishop exercises his authority in his own parish (c. 9 Antioch), and he is not allowed to perform official acts beyond it (c. 34, 35 Ap; c. 9, 22 Antioch) unless authorized by the proper bishop (c. 22 Antioch).

A bishop may retain jurisdiction over outlying or rural parishes that were subject to him and where he has governed continuously and peacefully for at least thirty years (c. 17 IV). See also PRESCRIPTIVE RIGHTS.

A bishop has the authority (i.e., veto power) over the decision to establish a monastery or oratory within his parish (c. 4 IV); however, he has authority over the monks within his parish (c. 4 IV), as well as over the clergy of poorhouses, monasteries, and martyries (c. 8 IV).

A bishop ordains priests and deacons within his own parish (c. 9 Antioch); he may authorize another bishop to act within his parish (c. 22 Antioch).

A bishop who refuses to proceed to his parish is to be excommunicated until he undertakes it or until a full synod of the bishops of the province decides concerning him (c. 36 Ap; c. 17 Antioch).

If a bishop is willing to undertake his ministry, but the parish rejected him because of the wickedness of the people, the clergy of that parish should be excommunicated, as they did not correct the disobedient people (c. 36 Ap).

A priest, deacon, or minor clergyman is not allowed to leave the parish without the bishop's consent (c. 15 Ap; c. 3 Antioch). Again, a priest, deacon or a minor clergyman should not leave his parish—pass from city to city or be translated, enrolled in two churches, appointed in two churches—without exception (c. 15 I; c. 5, 10, 20 IV); if he does so, he must return or be excommunicated (c. 16 I).

A steward is to be appointed in each parish from among the clergy; if the bishop does not appoint one, he will be subject to the divine canons (c. 26 IV).

Eulogiae should not be sent from one parish to another at Easter (Pascha; c. 16 Laodicea). See also BREAD (BLESSED)/ ANTIDORON/*EULOGIAE*; SEE.

PARTICLES: The particles (μηριδῶν) are crumbs extracted from the lower part of the Lamb, and they represent requests for salvation made by the faithful who bring offerings (*prosphores*, communion wine, oil, or other types of offerings) in their own name or in the name of the deceased.

The offering of bread (*prosphora*) from sinners who refuse to repent should be rejected. The same for those of women married to pagans or heretics, though the priests should receive from these women candles and oil, and prayers should be read for them. As these women may not receive Holy Communion, no particles should be extracted for their requests, though they may receive antidoron and holy water (Symeon of Thessalonika, IX.47).

Particles are also extracted for the Theotokos, the nine orders of saints and martyrs, and for the faithful, living or dead. From the Fathers, we know that the particles represent the people who bring offerings as sacrifices to God (Symeon of Thessalonika, VII.268).

When many people come to Holy Communion and more than one chalice is needed, in the chalices should be placed only the parts of the Lamb marked with the symbols NI and KA; the particles extracted for the commemoration of the Theotokos, of the nine orders of the saints, and of the living and the dead should remain on the paten until after the distribution of Holy Communion and not be given to the faithful instead of the Body of Christ. If it seems that there is not enough Holy Communion for all the people, the priest may take some parts from the reserved sacrament (EL 1267).

The particles are for union with God, so those who are worthy receive abundant blessings, while the offerings of those who are unrepentant will return to them in condemnation; the priest should not extract particles for the unrepentant, as he himself may come under condemnation (Symeon of Thessalonika, VII.268–269).

When a priest communes the faithful, he should take from the Body and not from the particles, even though the particles and the Body are now united through the precious Blood.[234] As the formula

234. St. Symeon of Thessalonika compared the particles taken at the oblation table (*prothesis*) to the oil, lamps, candles, flowers, or other offerings that the faithful bring for

requires communion with the Body and Blood, the priest should take with the communion spoon from the Body and Blood and not from the particles (Symeon of Thessalonika, IV.94; EL 1212).

For an adulterer or an adulteress, especially if they continue in their sin, the priest should not extract particles at the oblation (EL 1223).

After the distribution of Holy Communion, the priest is required to put the particles in the chalice and to ensure that no particles remain on the antimension or on the sponge. After the consumption of the remains of Holy Communion (*katalixis*), the priest should ensure that the chalice is cleansed and dried and that the vessels are layed in order and covered, so no dust or other impurities fall over them (EL 1259).

PATRIARCH: The presbyters, the bishops, and the metropolitans who separate themselves from their patriarch and do not commemorate him in the divine services should be deposed (c. 15 Constantinople I–II).

The metropolitans of Pontus are to be elected according to custom and to be ordained by the Patriarch of Constantinople; they are to ordain their own bishops (c. 28 IV).

If a bishop or metropolitan delays in naming an *economos* in his eparchy or does not fill the open positions, or does not bring to resolution the church's tasks according to the canons, the patriarch has the right to name the *economos*, fill the position, or solve the tasks (c. 11 VII; c. 52, 55 Carthage).

PAULIANISTS: The Paulianists were followers of Paul of Samosata, an anti-Trinitarian who managed to be elected Bishop of Antioch around AD 260 and was deposed by a great synod in 269.

Paulianists seeking reconciliation to the catholic Church must be rebaptized (c. 19 I).

Clergymen of the Paulianists, after baptism, may if worthy be ordained; if unworthy, they are to be deposed (c. 19 I).

tion (ἁγιασμός), not of transformation (μεταβολή) into the Body of Christ: "the priest must be careful when he gives communion to those who approach not to give them any of those particles, but to [take from] the Body of Lord" (Symeon of Thessalonika, *De sacra liturgia*, 94; PG 155, 284D). His approach contradicts the old Byzantine practice, still observed today on Mount Athos, in which all particles are put into the chalice together with the Lamb before the communion of the people.

A deaconess of the Paulianists who has been reconciled with the catholic Church if worthy may be ordained; but Paulianist deaconesses who appear in the habit of that order are to be numbered among the laity (c. 19 I).[235]

Ordinations of the Paulianists are not valid (c. 19 I).

PEACE, KISS OF: See KISS OF PEACE.

PELAGIUS: Pelagius was a monk who preached in Rome in the early years of the fifth century. Condemning Manichaeism and Gnosticism, he fell into the opposite extreme: he denied the effects of the Fall on successive generations, which eventually led him to the error of denying the necessity of grace. Pelagius taught that moral perfection was attainable in this life without the assistance of divine grace through human free will; he was contradicted by St. Augustine, who said that perfection is impossible without grace, because human beings are born sinners with a sinful heart and will. The Pelagians accused St. Augustine of Manichaeism, as the Manichaeans believed that the flesh was in itself sinful. Pelagianism was condemned in 419 at the Council of Carthage, and the condemnation was ratified at the Coucil of Ephesus (431).

The heresies of Pelagius and Celestius are condemned, and they should remain deposed.[236]

PENALTIES: Church penalties can result from internal judgment (out of confession) and are known as acts of penance (*epitimia*), or they can result from the judiciary authority of the Church, generally known as penalties. Penalties can be divided in four categories: penalties imposed upon all the members of the Church, penalties imposed only upon monks, penalties imposed upon the clergy and monks, and penalties imposed only upon clergy.

A. Penalties imposed upon all the members of the Church

These penalties derive their authority from the power given by the Lord to the Holy Apostles, who in turn passed it on to the bishops (Matt. 18:18). Most penalties from this category result from the sacrament of confession, in which the confessee is him- or herself the judge. Examples include

235. The Paulianist deaconesses, not having undergone the imposition of hands, are to be baptized if they come to the catholic Church (Commentary of Aristenus on c. 19 I).

236. From the Letter of the Synod of Ephesus to Pope Celestinus, NPNF 2.14:239.

prostrations, fastin more severely than usual, charity, reading of spiritual books, pilgrimages, and temporary abstention from Holy Communion. See also *EPITIMIA*; MINOR EXCOMMUNICATION.

B. Penalties imposed only upon monks

These penalties derive their authority from the monastic vows and the rules of the monastery. Among the penalties are denying the use of prayer beads, denial of the daily ration, expulsion from the monastery, and so on.

C. Penalties imposed upon clergy and monks

These penalites derive their authority from the administrative power of the superior and the duty of obedience of the inferiors. Examples are admonition, corporal confinement (usually within a monastery), removal from administrative office (for an abbot or chancellor), transfer, and so on.

D. Penalties imposed only upon clergy

These penalties derive their authority from the sacramental authority of the superiors. The following is a list of examples:

a. Monetary fine (see c. 62 Carthage)

b. Loss of seniority within the hierarchy

c. Forfeiture of one's episcopal throne. A bishop may lose his throne but keep his episcopal rank and perform all the sacraments corresponding to his rank.

d. Suspension (*argia*) prevents a clergyman from exercising both priestly and administrative authority; as a consequence, a suspended clergyman is not allowed to perform sacraments. If he conducts sacraments they are valid, but the offender receives more severe penalties.

e. Degradation or demotion (*hypovivasmos*) is the process through which a clergyman is sent to a lower rank than the one that he holds. This penalty is mentioned several times in the canons (c. 22, 29 IV). In c. 29 IV a reservation is implied—namely, if a clergyman is unworthy of the present rank, can he be worthy of a lower one? Hefele considered this canon not an authentic ruling but simply a transcript of the minutes of the Ecumenical Council.

f. Defrocking (*kathairesis*) is the process through which a clergyman is stripped of all priestly authority and returned to the original order from which he came, laity or monk. Sacraments performed by a defrocked priest are totally invalid and must be repeated.

The last three ecclesiastical penalties (d–f) are sometimes lumped together in Canon Law and referred to as deposition from office. See DEPOSITION. See also ANATHEMA; DEGRADATION; DEPOSITION; EXPULSION; EXCOMMUNICATION.

PENANCE, DEGREES OF: Penitents are received first as hearers, then as prostrators, and finally as costanders. These are the ordinary degrees of penance (c. 11, 12, 14 I; c. 4, 6, 9 Ancyra). However, the term of penance as hearer is sometimes omitted (c. 5, 7, 8, 16, 22; 24 Ancyra), and sometimes a lower degree of penance is imposed, that of *hyemantes* (c. 17 Ancyra). See HYEMANTES.

PENANCES: See *EPITIMIA*.

PENITENTS: A bishop has the authority to consecrate myrrh, to consecrate virgins, to consecrate churches, and to pardon penitents (c. 6, 43, 126 Carthage).

A bishop has the authority to extend (through *akriveia*) or to reduce (through *economia*) penances and to pardon penitents who sincerely show remorse for their sins (c. 12 I; c. 16 IV; c. 102 VI; c. 2, 5, 7 Ancyra; c. 6, 43 Carthage; c. 1, 74, 84, 85 Basil the Great; c. 5, 7 Gregory of Nyssa).

If any bishop or priest does not receive one who turns away from his or her sins, let him be deposed (c. 52 Ap).

A presbyter may not publicly reconcile penitents (c. 6 Carthage). When the offense of any penitent has been public and commonly known, so as to have scandalized the whole Church, he shall receive forgiveness and absolution publicly, by the imposition of hands in the front of the church doors (c. 43 Carthage).

A penitent should be received back if he or she bring forth "fruits of penance" and makes "earnest entreaty"; thus, he or she will obtain forgiveness (c. 2 Antioch).

If any clergyman through fear of men, whether Jew, heathen, or heretic, denies the name of Christ, let him be cast out; if he repents, let him be received as a layman (c. 62 Ap).

Penitents are readmitted to communion after penance proportional to the nature of their offense (c. 2 Laodicea).

People who are excommunicated for attending the mysteries of heretics, if they confess and repent, should be received (c. 9 Laodicea).

The sin confessed may not be divulged by the confessor. If a confessor divulges something that he heard in confession, and the penitent denies it, the confessor should not be given credence (c. 132 Carthage; c. 34 Basil the Great; c. 28 Nicephorus the Confessor).

PERJURY: If a clergyman commits perjury, let him be deposed but not excommunicated (c. 25 Ap). See also OATH.

PETITION: A clergyman may not present a petition to the emperor without the consent of the metropolitan and the provincial synod (c. 9 Antioch). A bishop who petitions the emperor without the consent of the metropolitan and of the provincial synod should be excommunicated (c. 11 Antioch).

The bishops present at the Council decided that it seemed good to petition the most glorious emperors that the remains of idolatry, not only in images but in any places whatever or groves or trees, should altogether be taken away (c. 84 Carthage).

A bishop is expected to give assistance to one oppressed, to a widow suffering injustice, or to an orphan robbed of his estate, always provided that these individuals have a just cause for petition (c. 7 Sardica; c. 75 Carthage).

PHOTINIANS: Photinians were followers of Photinus, bishop of Sirmium, who had the same views as Paul of Samosata—namely, that the Holy Trinity is only a spirit rather than God, and that Christ is merely a human being, not God.

The heresy of the Photinians is anathematized (c. 1 II). Photinians may be received in the Church through chrism after anathematizing all heresies, especially their own, and after having learned the symbol of faith, the creed (c. 7 Laodicea).

PHRYGIANS: Phrygians, as they were known in Constantinople, were followers of Montanus, who preached in the second century mainly in Mysia (Phrygia), and who believed that he was the embodiment of the Holy Spirit, the Paraclete. Among many innovations that

Montanus introduced, one was most outrageous: Montanus baptized people in the name of the Father, the Son, and Montanus.

Phrygians seeking reconciliation to the catholic Church are to be received as heathen (c.7 II); both the clergy and laity of Phrygians are to be instructed and baptized before admission to communion (c. 8 Laodicea).

PHYLACTERIES: Clergymen are forbidden to make or wear phylacteries[237] (c. 36 Laodicea).

PLAYS: Clergymen are forbidden to attend plays at weddings and banquets (c. 54 Laodicea).[238]

To players, actors, and other people of this kind, as also to apostates who have returned to God, grace and reconciliation is not to be denied (c. 45 Carthage).

The Holy Synod forbids the participation of those who act in spectacles, as well as of those involved in the exhibition of hunts or theatrical dances; a cleric who despises the present canon and gives himself to any of these things should be deposed; a layperson who does so should be cut off from the Church (c. 51 VI).

Public dances of women that may do much harm and mischief, dances given in the name of Greek gods performed after an ancient and un-Christian custom, wearing masks, making libations in the name of Bacchus, and other things like these are forbidden; clerics who engage in them should be deposed; laypeople who do so should be cut off from the Church (c. 62 VI).

During Bright Week, the week after Easter (Pascha), the faithful should be free of labor, rejoicing in Christ's resurrection with psalms, hymns, and spiritual songs, applying their minds to the

237. The Gospel of St. Matthew in verse 23:5 says that the scribes and Pharisees made their "phylacteries broad and their fringes long." Phylacteries were two small leather boxes containg strips of parchment with quotations from Hebrew Scripture which were tied to the forehead and left arm and worn by Jewish men during the morning service, with exception on the Sabbath and feast days. Nikodim Milash, in his commentary of the canon, underscored the belief of the wearers that the phylacteries [amulets] protected the person from evil and brought goodness to him; moreover, this vain belief passed from the Jews to some Christians who wore phylacteries around their necks or attached to the sick part of their bodies. (Milash, 2.1:108-109).

238. The licentiousness of plays and the outrageous behavior of actors at the time led the Fathers of the Synod of Laodicea to rule that clergymen should be examples to the rest of the people, avoiding association with such activity. It should be noted that the word *obscene* is a derivation from "scenic" representation.

reading of Scriptures and delighting in the holy mysteries; therefore, during the aforesaid week there must not be any horse races or public spectacles (c. 66 VI).

"The entertainments of the theatre, that is, Satanic songs accompanied with meretricious inflections of harps" are condemned by the prophet (Isa. 5:12); if among Christians there are people doing those things, they should amend their ways; if they do not, they should be canonized (c. 22 VII).

PLOTTING: Plotting against the bishop or clergy is punishable for a clergyman with deposition and for monks with excommunication (c. 18 IV).

A woman who aborts her child deliberately is liable to trial as a murderess. For here there is involved the question of providing justice not only for the infant to be born but also for the woman, who has plotted gainst herself; those guilty will be admitted to communion at the end of a moderate period of ten years, adjusting the cure to the manner of penitence (c. 2 Basil the Great).

PNEUMATOMACHI: Pneumatomachi, or semi-Arians, became involved in the debate surrounding *homousion* and *homoeusion* of the second century and attempted to steer a middle course between calling the Son consubstantial and calling him a creature. The heresy of the Pneumatomachi is anathematized (c. 1 II).

POLYGAMY: Polygamy is marriage to several wives at the same time, as practiced during Old Testament times and as currently practiced in some Muslim countries and elsewhere. The marriage of one woman with several men is called polyandry. The Christian Church never approved polygamy or polyandry, condoning only monogamy.

Concerning those who fall into a plurality of marriages, the appointed time of penance is well known, but their manner of living and faith may shorten the time (*economia*) (c. 3 Neocaesarea).

The Fathers say nothing of polygamy as being beastly and a thing unagreeable to human nature, but St. Basil the Great believed it a greater sin than fornication. He decreed that those who are guilty of it be subject to canons—one year as mourners, three years as prostrators—before being received (c. 80 Basil the Great).[239]

239. Among *epitimia* for polygamy, Basil mentioned only two steps of the four, leading theologians to believe that in fact, the bishop may add the years of the last two steps before the penitent may receive Holy Communion. See *Syntagma*, IV.248. In Ba-

No bishop or patriarch is allowed to give release to a marriage between a man and two women or of a woman and two men (EL 1727).

PONTUS: The jurisdiction of the Bishop of Pontus is confined to his own diocese (c. 2 II).

The metropolitans of Pontus are to be elected according to custom and to be ordained by the Patriarch of Constantinople; they are to ordain their own bishops (c. 28 IV).

POOR: The poor should be helped by the bishop from the funds of the church (c. 38, 41 Ap; c. 25 Antioch). A bishop should take care of the needs of the poor and needy from the church's funds with the help of the priests and deacons (c. 41 Ap).

Poor clergymen are to be supplied with the necessities by the clergy (bishop, priest, deacon); if they fail to do so, they should be excommunicated, and if they persist in their negligence to help a brother, they should be deposed (c. 59 Ap).

When on a journey, the poor, after examination, should receive peace letters and not commendatory letters (c. 11 IV). See also LETTERS, PEACE; LETTERS, COMMENDATORY.

The *chorepiscopoi* are indeed after the pattern of the Seventy, and on account of their devotion to the poor, they have the honor of making the oblation (c. 14 Neocaesarea).

Those who despise the agape to which poor people are invited and do not communicate with them should be pronounced anathema (c. 11 Gangra).

The tradition of the Church blesses charity to the poor (c. 21 Gangra).

A monastic (monk or nun) may not hold any property, as he or she has taken vows of poverty; before entering a monastery or convent, the candidate may legally dispose of property (c. 22, 83 Carthage). Undistributed property will be forcefully taken by the abbot and sold, and the proceeds will be given to the poor (c. 6 Constantinople I–II).

sil's understanding, polygamy is not only marriage with several women at the same time but also multiple marriages over time. The doctrine of the Fathers states that only the first marriage is holy and blessed by God; a second marriage is admitted, but those who enter into it are canonized. A third marriage is tolerated because it prevents unbridled fornication (c. 4, 50 Basil the Great). Marriages after the third are condemned as beastly and not human, and they are seen as polygamy.

POORHOUSES: The clergy of poorhouses, monasteries, and martyries are to be subject to the bishop of the parish; any clergy who contravene this canon in any way should be subject to canonical censure, and monks or laypeople who do so should be excommunicated (c. 8 IV).

POSSESSION, BY DEVIL: Possession is a sickness of spiritual nature which can turn into a bodily or psycho-physical nature. Devil possession or demonic possession is manifested in different proportions in both body and soul (Zech. 3:1-2; Matt. 8:26-32; 9:32-33; 17:14-18; Mark 1: 23-26; 7:25-30; Luke 8:27-32; 9:23-42; 11:14; Acts 16:16. The possessed man blasphemes God and divine things (Mark 1:23-27; Luke 8:27-37). See also DEVIL.

A person possessed by the devil may not be ordained; but if cleansed and worthy, he may be ordained (c. 79 Ap).

Whoever shall pretend that he is possessed by the devil, shall endure the same penance as the demoniacs (c. 60 VI).

If a catechumen who is possessed wants to be baptized, he should be baptized at the hour of death (c. 2 Timothy of Alexandria). A communicant may receive holy communion if he does not blaspheme the Mysteries (c. 3 Timothy of Alexandria). A sick catechumen, who cannot make the profession of faith [recite the creed], can be baptized if he is not possessed (c. 4 Timothy of Alexandria). If the wife of a man is severely possessed [that she needs to be bound with irons], and the man cannot contain, he still is not allowed to marry someone else, because that marriage is an adultery (c. 15 Timothy of Alexandria).

POSSESSION, OF DIGNITY OR PROPERTY: If a priest obtains possession of his dignity through simony, let him and the person who ordained him be deposed (c. 29 Ap). If any bishop, presbyter, or deacon obtains possession of that dignity by money, let both him and the person who ordained him be deposed and also altogether cut off from all communion (c. 29 Ap; c. 2 IV; c. 22 VI; c. 5 VII).

If any bishop comes into possession of a church by employing secular rulers, let him be deposed from office, and let him be excommunicated, along with all those who communicate with him (c. 30 Ap).

Lawsuits as to the ownership of property in possession of a bishop at the time of his death are to be prevented by keeping his private property distinct from that of the church (c. 40 Ap; c. 24 Antioch).

Uninterrupted and peaceful possession for thirty years by a bishop of rural parishes from another jurisdiction gives him a good title on them (c. 17 IV). See also PRESCRIPTIVE RIGHTS.

Whoever for money admits those coming to holy orders or to the monastic life, whether bishop or superior of a monastery or any other in sacred orders, shall either cease or be deposed. And the superiors of monasteries or convents should be expelled and given to subjection. But the possessions of those who came in should remain, whether the individuals remain or not, provided the superior is not to blame (c. 19 VII).

In churches taken into possession by the heretics, the faithful should behave as they would in a private house—no censing, prayers, candles, or entrance into the altar (c. 46 Nicephorus the Confessor).[240]

POSTURE: The appropriate posture during prayer is standing (c. 20 I).[241]

After baptism, "let him, therefore, who has been dead with Christ, and raised up with Him, stand up. But let him pray toward the east. For this also is written in the second book of the Chronicles, that after the temple of the Lord was finished, the King Solomon, in the very feast of dedication the priests and the Levites and the singers stood up toward the east, praising and thanking God" (AC 7.44).

PRAYER: "That order is best of all which makes every word and act begin and end with God"[242] (c. 1 VI).

Those people who leave the Church of God, go away, and invoke angels and gather in assemblies engage in idolatry and should be pronounced anathema (c. 35 Laodicea).

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240. The implication is that those churches need to be re-consecrated.

241. The canon actually banned kneeling during Sunday Services and during the days of the Pentecostarion (from Easter to Pentecost). Tertullian noted in his *De corona militis* that this posture, though not scriptural, was universally practiced by authority of the tradition: "We consider it unlawful to fast, or to pray kneeling, upon the Lord's day; we enjoy the same liberty from Easter-day to that of Pentecost."

242. This is the first sentence in the quite long and dogmatical canon 1 of the VI. This statement is both an acknowledgment of God's sovereignty and of the proclamation of the faith, "the faith set forth by the God-chosen Apostles who themselves had both seen and were ministers of the Word, [and which] shall be preserved without any innovation, unchanged and inviolate." (See c. 1 VI, in NPNF 2.14: 359)

The church should pray for the "civil authorities and those in public service" (1 Tim. 2:1–3; Rom. 13:1–8). For those who do not pray for the civil authorities bur rather insult them, the Church established serious punishment: priests should be deposed and laypeople should be excommunicated (c. 84 Ap).

Orthodox Christians are not allowed to pray with heretics: "let a bishop, presbyter, or deacon, who has only prayed with heretics, be excommunicated; but if he has permitted them to perform any clerical office [*comunicatio in sacris*], let him be deposed" (c. 45 Ap; c. 64 Ap; c. 6, 9 Laodicea). C. 32 Laodicea gives a reason for the interdiction: their prayers are follies rather than blessings, maledictions rather than benedictions, *alogiae* rather than *eulogiae*. Again, no one shall join in prayer with heretics or schismatics (c. 33 Laodicea).

A bishop or a presbyter who has admitted the baptism or sacrifice (i.e., Eucharist) of heretics should be deposed (c. 45 Ap).

If anyone prays, even in a private house, with an excommunicated person, let him also be excommunicated (c. 10 Ap). A clergyman who joins in prayer (concelebrates) with a deposed clergyman should be deposed (c. 11 Ap; c. 2 Antioch).

If any bishop, presbyter, or deacon, having been justly deposed upon open accusations, dares to meddle with any of the divine offices that had been entrusted to him before his deposition, let him be altogether cut off from the Church (i.e., defrocked; c. 28 Ap; c. 4 Antioch; c. 88 Basil the Great). The defrocked minister is no longer allowed to perform any ecclesiastical work and usually is returned to the rank from which he came: bishop to monk, and presbyter or deacon to layperson.

The liturgical prayers of the Eucharist are performed by those clergy who are fasting (c. 28 VI; c. 41 Carthage).

Married priests may utter liturgical prayers; those who refuse the oblation offered by a married priest, let him be anathema (c. 4 Gangra).

Clergymen who perform liturgical prayer outside of the Church, despising the holy canons, are to be anathema (c. 6 Gangra).

Clergymen are not allowed to perform liturgical prayer in oratories or *parakleses* without the approval of the bishop; those who do such things should be deposed (c. 10 VII). Again, liturgical prayer and baptism may not be done in *parakleses* and private houses with-

out the approval of the bishop; the clergy who conduct such services should be deposed, and those who received Holy Communion should be excommunicated (c. 12 Constantinople I–II).

Only the prayers approved by the synod and collected by the learned should be said in church; those prayers contrary to the faith should not be used by any means (c. 103 Carthage).

No psalms composed by private individuals or any uncanonical books may be read in church, but only the canonical books of the Old and New Testaments (c. 59 Laodicea).

Those who enter the church of God and hear the holy Scriptures but do not communicate with the people in prayers or who turn away by reason of some disorder from the holy partaking of the Eucharist are to be cast out of the Church (i.e., excommunicated) until they make confession, do penance, and obtain forgiveness (c. 2 Antioch).

On the Lord's Day and at Pentecost, all must pray standing and not kneeling (c. 20 I).

Christians must pray standing from the entrance of the Great Vespers on Saturday night until the evening of Sunday at the entrance for compline; so an entire day and night Christians sing in the spirit hymns to God and celebrate his resurrection (c. 90 VI).

Orthodox Christians pray toward the east "to denote that we are in quest for Eden, that garden in the East from whence our first parents were ejected" (c. 92 Basil the Great).

Monks are to embrace a quiet course of life and give themselves only to fasting and prayer, remaining permanently in the places in which they were set apart; anyone who transgresses this judgment should be excommunicated (c. 4 IV).

PREACHING: A bishop should provide for foreign visiting clergymen who bring commendatory letters; however, they should be examined, and if they do not preach godliness, they may not be received in communion, although they will be supplied with what they need (c. 33 Ap).

Lapsed priests who returned to the Church in sincerity will retain the honor of their chair but are not allowed to make oblation, to preach, or to perform any sacerdotal function (c. 1 Ancyra).

It shall not be lawful for a bishop to teach publicly in any city that does not belong to him. If anyone is observed doing this, let

him cease from his episcopate and let him discharge the office of a presbyter [243] (c. 20 VI).

A layman is not to preach or teach publicly, thus claiming for himself the authority to teach, for he should yield to the order appointed by the Lord and be taught divine things by those who have received the grace to teach (c. 64 VI).

Women are not permitted to speak at the time of the Divine Liturgy; "but if they wish to learn anything let them ask their own husbands at home" (1 Cor. 14:34; c. 70 VI).

When a guest bishop visits another eparchy and boasts his image, ministering to his own praises rather than serving religious devotion, especially when the host bishop is not skilled in teaching, the guest bishop should not be too assiduous in preaching and so contribute to the disparagement and lessening of the repute of the host bishop (c. 11 Sardica).

PRECEDENCE: The Bishop of Jerusalem is to have precedence (*presvia*) next to the Metropolitan of Caesarea (c. 7 I).[244] A metropolitan is to have precedence within his own province (c. 9 Antioch).

For the precedence of the Bishops of Rome and Constantinople, see ROME; CONSTANTINOPLE.

Of the order of bishops, those ordained more recently should not dare to take precedence over those ordained before them (c. 86 Carthage).

The bishops who are ordained shall receive letters from their ordainers bearing the date and the name of the consul (for that year), that no altercation might arise concerning which were ordained first and which afterward (c. 89 Carthage).

In the Church the order of communion is priests, monks, and faithful (Symeon of Thessalonika, V.142).

Priests have precedence over monastics; however, the monastic life takes precedence over the married priests' life. That is why an ordained monk (hieromonk or priest-monk) should have precedence over a married priest (Symeon of Thessalonika, IX.33).

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243. The bishop is not deposed from the Episcopate but loses his right to execute Episcopal functions, so virtually he is reduced to the level of a presbyter.

244. Jerusalem, or Aelia Capitolina, was a suffragan see to the Metropolis of Caesarea; however, because of ancient tradition, the Bishop of Jerusalem comes in order of precedence immediately after the Metropolitan of Caesarea.

PREGNANT WOMAN: A pregnant woman may be baptized whenever she wants (c. 6 Neocaesarea).[245]

"Among willful murders are those committed by women who give herbs to pregnant women in order to kill the embryos; and likewise those who accept such herbs" (c. 91 VI; c. 21 Ancyra; c. 2, 8 Basil the Great; Zonaras' Concord at c. 66 Ap).

A pregnant woman should receive release from keeping the Paschal fast—that is, Great Lent (c. 8 Timothy of Alexandria).

A widow should mourn her husband and not remarry for at least one year from the time of her husband's death; if she marries sooner and becomes pregnant, the paternity of the child might be in doubt. One who does not mourn her deceased husband one year should be admonished and canonized (EL 2025).

PREROGATIVES: The prerogatives of all churches are to be retained according to the ancient customs (c. 6 I; c. 2 II; c. 8 III; c. 12, 17 IV).

PRESBYTER/PRIEST: The rank of priest, or presbyter, is the middle rank among the major clergy. A priest celebrates divine services in the parish and is the leader of the local community.

A. Disqualifications for the office of a priest

He who has been married twice after baptism or who has had a concubine may not become a priest (c. 17 Ap); nor may one who married a widow, a divorced woman, a harlot, a slave, or an actress (c. 18 Ap), or one who marries two sisters or a niece (c. 19 Ap).

If a believer commits fornication, adultery, or any forbidden act, he may not be ordained to the priesthood (c. 61 Ap).

One whose wife has committed adultery before ordination may not be ordained; if the wife committed adultery after ordination, he must divorce her. If he retains her, he may no longer be a priest (c. 8 Neocaesarea).

One who castrates himself may not be accepted to ordination (c. 22 Ap; c. 1 I). But one who was castrated by force or for surgical purposes and is otherwise worthy may be

245. In the early Church, a debate took place relating to the baptism of a pregnant woman: Is the baby in the womb baptized, too? The answer points to the fact that each person must make the profession of faith, and the baby will receive grace after the sponsor makes the profession on the day of the child's baptism.

ordained (c. 1 I); if so castrated after ordination, he may remain among the clergy (c. 1 I).

One who is possessed by a devil may not be ordained; but if cleansed and worthy, he may be ordained (c. 79 Ap).

A neophyte may not be made a priest without a time of probation (c. 2 I; c. 3 Laodicea); but former profession of heathenism is not in itself a disqualification (c. 12 Ancyra).

A slave may not be ordained without manumission by his master (c. 82 Ap).

One who has lapsed may not be ordained; but if ordained through ignorance or even with the previous knowledge of the ordainers, he shall be deposed (c. 10 I).

If a priest lapsed after his ordination and subsequently is restored, he retains the honor of the chair but is not allowed to perform any act of sacerdotal function (c. 1 Ancyra).

Those who have been steadfast throughout persecutions, though forced to appear otherwise, may be ordained (c. 3 Ancyra).

A priest is not to be ordained without examination and confession of sins, "for the catholic Church requires that which is blameless" (c. 9 I).

If after his ordination a priest confesses a carnal sin, this disqualifies him from making the oblation, although he may remain in his other functions on account of his zeal (c. 9 Neocaesarea).

One who has received clinical or emergency baptism may not be made a priest, though exceptions may be made on account of his zeal and faith and because of a lack of men (c. 12 Neocaesara).

A priest is not to be ordained under thirty years of age (c. 11 Neocaesarea).

A priest is not to be ordained at large (without charge or appointment); if such an ordination takes place, the ordination becomes inoperative to the reproach of the ordainer (c. 6 IV.

B. Election of a priest

The election of those who are to be appointed to the priesthood is not to be committed to the multitude (c. 13 Laodicea).

C. Ordination of a priest

Before an ordination to the priesthood takes place, the candidate should be examined, "for the catholic Church requires that which is blameless" (c. 9 I).

A clergyman who before ordination commits a carnal sin should be excluded from the clergy (c. 9; 10 I); if he confesses his sin, he shall no longer perform the divine services, but he retains his dignity of a clergyman—he may sit with clergy, commune in the altar, and so on (c. 9 Neocaesarea).

If a priest ordained by a heretic bishop converts to Orthodoxy, he should be reordained (c. 68 Ap). See also ORDINATION.

A priest is to be ordained by a bishop (c. 2 Ap); specifically, he is to be ordained by the bishop of the diocese (c. 9 Antioch). A priest may not be ordained by a bishop from another diocese; if this occurs, the ordination is void and the ordainer will be punished by the synod (c. 22 Antioch).

A priest may be ordained by the *chorepiscopos* in his district and with the approval of the bishop of the diocese (c. 10 Antioch).

A priest may not be ordained by a *chorepiscopos* outside of the *chorepiscopos*' district or without the bishop's written permission (c. 13 Ancyra).

A priest is not to be ordained in another church after leaving his own without authorization and without the consent of his own bishop (c. 16 I).

D. Duties of a priest

Offerings, with exception of those for the altar, are to be taken to the house of the bishop and to priest and to be shared by them with the other clergy (c. 4 Ap).

A bishop has power over the funds of the church; a priest is to join with the bishop in the administration of these church funds (c. 25 Antioch).

A bishop supplies those in need, with the help of priests and deacons (c. 41 Ap).

A priest who does not help another clergyman in need shall be excommunicated (c. 59 Ap).

A priest who rebaptizes one who has rightly received baptism, or who does not baptize one who has been polluted by the ungodly, shall be deposed (c. 47 Ap).

A priest who, contrary to the ordinance of the Lord, does not baptize according to the catholic formula ("In the Name of the Father, and the Son, and the Holy Spirit"), but unto three unoriginated beings, or three Sons, or three Comforters, should be deposed (c. 49 Ap). Likewise, a priest who does not baptize by three immersions should be deposed (c. 50 Ap).

A priest should instruct and baptize the reconciled Phrygians (c. 8 Laodicea).

A priest is required to receive penitents after they have completed their *epitimia*; he who refuses to do so should be deposed (c. 52 Ap).

A priest or a bishop administers the Eucharist to deacons (c. 18 I).

When celebrating Holy Communion, a priest must partake himself or declare the cause of abstention; if it is a reasonable one, he will be excused; if he does not declare it, he should be excommunicated (c. 8 Ap).

A priest must fast during Great Lent and on Wednesdays and Fridays unless prevented by bodily weakness (c. 69 Ap).

Before Holy Communion is partaken of, the priests must give the kiss of peace to the bishop, and then the laity are to give it to one another, "and so the Holy Oblation is completed" (c. 19 Laodicea).

The priests of poorhouses, monasteries and martyries are to remain subject to their bishop (c. 8 IV).

E. Privileges of a priest

A priest is to receive his share of the firstfruits (offerings not made at the altar) received by the bishop and the priests (c. 4 Ap).

When in need, a priest is to be supplied with necessities; those clergymen who fail in providing should be excommunicated; if they persist, they should be deposed (c. 59 Ap).

A priest who was deposed by Nestorius or his followers is to be restored to his rank (c. 3 III).

"It is lawful for the priesthood alone to go to the altar and to commune there" (c. 19 Laodicea).

If a clergymen insults a priest, he should be excommunicated (c. 56 Ap).

Among the ranks of the clergy, a priest is superior to a deacon, and a deacon may not sit among the priests, "for that is contrary to canon and order" (c. 18 I); nor may a deacon sit in the presence of a priest without permission (c. 20 Laodicea).

If someone, despising the canons, holds private assemblies and performs ecclesiastical acts without the permission of the bishop or of the priest, let him be anathema (c. 6 Gangra).

A priest has a right of appeal to the provincial synod against a sentence of his bishop (c. 5 I; c. 6, 12, 20 Antioch).

A priest who has a complaint against another clergyman should not run to secular courts; he should lay it before his bishop or arbitrators; and if he has a complaint against a bishop, he may lay it before the provincial synod (c. 9 IV). If he has a difference with a metropolitan, he may bring it before the exarch of the diocese or the throne of Constantinople (c. 9, 17 IV).

A priest owes no obedience to a bishop who is convicted of anything contrary to religion or morals (c. 31 Ap).

A priest is to be informed by his bishop what is and what is not church property (c. 24 Antioch).

Anyone who maintains, concerning a married priest, that it is not lawful to partake of the oblation when he offers it, should be anathema (c. 4 Gangra).

A priest who has been steadfast throughout persecutions, though forced to appear otherwise, is entitled to all former privileges (c. 3 Ancyra).

F. Things forbidden to a priest

A priest who divorces his wife under pretense of asceticism should be excommunicated; if he persists, he should be deposed (c. 5 Ap).

A priest may not marry after ordination; if he does so, he should be removed from the clergy (c. 26 Ap; c. 1 Neocaesarea).

If a priest abstains from marriage, meat, or wine not by way of religious restraint but because he abhors them, let him be corrected or else deposed and cast out of the Church (c. 51 Ap).

A priest is strictly forbidden to have a *subintroducta* dwelling with him—excepting only his mother, sister, aunt, or any person beyond all suspicion (c. 3 I). See also *SUBINTRODUCTA*.

A priest is not allowed to wash in a bath with women, "for this is the greatest reproach among the heathen"; if a priest is caught doing so, he should be deposed (c. 30 Laodicea; c. 77 VI).

A priest is not allowed to engage in worldly business (management of public affairs); if he does so, he should be deposed (c. 6, 81 Ap) unless he is called by the law to the guardianship of minors (c. 3 IV).

A priest is not allowed to meddle with any business other than ecclesiastical business, and that only under direction of the bishop; whoever transgresses this decree should be subjected to ecclesiastical penalties (c. 3 IV).

A priest is not allowed to serve in the military; if he wants to retain both the magistracy and the priestly office, let him be deposed (c. 83 Ap).

A priest shall accept neither military charge nor any secular dignity; if he presumes to do so and does not repent, he shall be anathematized (c. 7 IV).

A priest who endorses businesses or secular affairs should be deposed; however, he is allowed to endorse philanthropic or church endeavors (c. 20 Ap).

A priest who takes interest from those who borrow from him should give it up; otherwise, let him be deposed and his name stricken from the sacerdotal list (c. 44 Ap; c. 17 I; c. 4 Laodicea).

A priest is not allowed to read false and heretical books in church as Scripture; if he does so, he should be deposed (c. 60 Ap).

A priest is not allowed to compose or use an other creed than the Nicene Creed; if he does so, he should be deposed (c. 7 III).

A priest is not allowed to join in prayer with heretics or schismatics; if he does so he should be excommunicated (c. 45 Ap; c. 33 Laodicea).

A priest may not allow heretics to perform any clerical office; if he does so, he should be deposed (c. 45 Ap). Similarly, if a priest admits the baptism or the sacrifice (Eucharist) of heretics, he should be deposed (c. 46 Ap).

A priest may not attend or communicate at the services of heretics in cemeteries or martyries; if he does so, he should be excommunicated for a time; but if he repents and confesses, he should be received back (c. 9 Laodicea).

A priest shall not indiscriminately marry his children to heretics (c. 10, 31 Laodicea).

A priest may not receive portions sent from the feasts of the Jews or heretics, and he may not feast with them; if he does so, he should be deposed (c. 70 Ap; c. 37 Laodicea). A priest is not allowed to receive unleavened bread from the Jews (c. 70 Ap; c. 38 Laodicea). Again, a priest is not allowed "to feast together with the heathen and to be partakers of their godlessness" (c. 39 Laodicea).

A priest is not allowed to join in prayer with schismatics, as they are already excommunicated; a priest found communicating with excommunicated persons should also be excommunicated "as one who brings confusion on the order of the Church" (c. 2 Antioch; c. 33 Laodicea).

A priest who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop with regard to religion or justice, should be deposed (c. 31 Ap; c. 10 Carthage; c. 13 Constantinople I–II).

A priest is not to submit himself to bishops who apostasized or who apostasize hereafter (c. 3 III).[246]

A priest is not allowed to communicate with the excommunicated; if he does so, he shall be excommunicated (c. 10 Ap; c. 2 Antioch).

A priest is not allowed to communicate with a clergyman who after his deposition meddles with his former ministry; if he does so, he should be cast out of the Church (i.e., defrocked; c. 4 Antioch).

246. C. 3 III (Ephesus) refers specifically to the apostasy of Nestorius but could be applied to any heresy.

A priest should not "pass from city to city"; the acts of whoever attempts to do such a thing should be void, and he should be returned to the church to which belonged (c. 15 Ap).

A priest who leaves his parish and goes to another without the approval of his bishop shall no longer perform divine services—that is, he is to be excommunicated; after being summoned by his bishop to return, if he disobeys, he shall be deposed (c. 15 Ap; c. 3 Antioch). An exception to the previous rule is the situation of a priest who is driven away by necessity from his own country (c. 20 IV).

A priest who forsakes his own parish and goes to another shall no longer perform divine services (c. 15 Ap; c. 15, 16 I; c. 3 Antioch); he ought not by any means to be received by another parish (c. 16 I).

A priest may not be enrolled in two churches (i.e., parishes) of two cities in the same time; he who does this should be returned to his own church (c. 10 IV).

If a priest is lawfully transferred to another church, he is not allowed to meddle with the affairs of his former church or with the martyries, almhouses, and hostels belonging to it; if he does so, he should be degraded from his rank (c. 10 IV).

A priest is not allowed to act without the consent of his bishop (c. 39 Ap; c. 57 Laodicea).

A priest is not allowed to address the emperor (or other civil authority) without the consent of the metropolitan and of the provincial bishops; if he dares to do so, he should publicly deposed (i.e., defrocked) and cast out from communion and the rank (c. 11 Antioch).

A priest is not allowed to travel without his bishop's consent (c. 41 Laodicea), and a priest may not travel without canonical letters (c. 42 Laodicea). Likewise, a priest is absolutely prohibited from officiating in another city without commendatory letters from his bishop (c. 13 IV).

A priest who takes candles and oil from the church should be excommunicated and required to restore a fifth part more than he took (c. 72 Ap).

A priest who converts to his own use a church vessel of gold or silver or any veil that was sanctified should be excommunicated (c. 73 Ap).

A priest is not allowed to seize his bishop's property upon his death; he who does so is in danger of degradation from his rank (c. 22 IV).

A priest is not to offer anything to the altar with exception of new ears of corn and clusters of grapes[247] at the suitable season (c. 3 Ap).

A priest is superior to a deacon, and he should not receive the Eucharist from a deacon (c. 18 I).

A priest is not allowed to make oblation in private houses (c. 58 Laodicea).

Country priests are not allowed to make oblation in a city parish in the presence of the bishop or city priests; however, they may make oblation in their absence and with their approval (c. 13 Neocaesarea).

A priest is forbidden to rebaptize one who has received true baptism, or to refuse to baptize one who has been polluted by the ungodly; whoever dares to do so should be deposed (c. 47 Ap).

A priest is forbidden to receive a second ordination unless the first one was void; breaking this rule brings the deposition of both the ordainer and the ordained (c. 68 Ap).

If a priest obtains possession of his dignity through simony, let him and the person who ordained him be deposed (c. 29 Ap).

If a priest abstains from marriage, meat, wine not by way of religious restraint but because he abhors them, let him be corrected or else be deposed (c. 51 Ap). A priest should not abstain from meat and wine, especially on feast days; if he does so not because of religious restraint but because he abhors them, let him be deposed (c. 53 Ap). If a priest fasts on Sundays or Saturdays (with the exception of Holy Saturday), the priest should be deposed (c. 66 Ap).

After tasting meat once, a priest may abstain if he so wishes; but if he disdains it and will not eat even the vegetables served with the meat, let him be removed from the order (c. 14 Ancyra).

247. C. 3 Apostolic bans the following: honey, milk, strong-made drinks, birds or any living things, vegetables.

If a priest eats meat with the blood of the life in it, anything killed by the beasts, or anything that dies by itself, let him be deposed (c. 63 Ap).

A priest is not allowed to join clubs dedicated to drinking and entertaining (c. 55 Laodicea). Likewise, a priest shall not eat in a tavern unless he is on the journey; if he does so, he will be excommunicated (c. 54 Ap).

A priest is not allowed to be a guest at the reception for the marriage of a digamist; for if the digamist is worthy of penance, what kind of priest would be the one who by his presence sanctions the marriage? (c. 7 Neocaesarea).

If a priest is invited to a love feast, he is not allowed to take away his portion (c. 27 Laodicea).[248]

A priest should not attend plays at weddings and banquets (c. 54 Laodicea).

A priest is forbidden to castrate himself; if he does so, he should be deposed (c. 23 Ap; c. 1 I).

A priest is not allowed to strike the faithful who have sinned or the unbelievers who have done wrong; if he does so he should be deposed (c. 27 Ap). See also STRIKE/BLOW.

If deposed, a priest should not become involved in his former ministry; if he does so, he will be cut off from the Church—that is, he will be subject to major excommunication (c. 28 Ap; c. 4 Antioch).

A priest is not allowed to insult his bishop (c. 55 Ap) or to insult a priest or a deacon; if he does so, he should be excommunicated (c. 56 Ap). A priest is not allowed to insult the emperor or a magistrate (i.e., civil authority); if he does so, let him be deposed (c. 84 Ap). A priest is not allowed to mock the infirm; if he does so, he should be excommunicated (c. 57 Ap).

If a priest neglects the clergy or the people and does not instruct them in the way of godliness, let him be excommunicated; if he persists in his negligence and idleness, let him be deposed (c. 58 Ap).

If a priest, through fear of men (Jew, heathen, or heretic), denies the name of Christ, let him be cast out. If he denies the

248. Taking away the leftovers from agape may show covetousness and may bring shame on the order.

name of a clergyman, let him be deposed. If he repents, let him be received as a layman (c. 62 Ap).

A priest is not allowed to practice magic, enchantment, or mathematics, or to make and wear phylacteries; those who wear such should be cast out of the Church (c. 36 Laodicea).

A priest may not enter and take his seat in the altar, or bema, before the entrance of the bishop unless the bishop is sick at home or absent (c. 56 Laodicea).

If a priest has a complaint against another clergyman, he is not allowed to forsake his bishop and run to secular courts; he who contravenes this decree should be subject to canonical penalties (c. 9 IV).

A country priest is not allowed to send canonical letters except to the neighboring bishops (c. 8 Antioch).

A priest who through ignorance entered into a marriage afflicted by impediments loses the right to perform divine services; if he separates, then he may retain the dignity of priesthood (c. 26 VI; c. 27 Basil the Great).

A priest may not prepare myrrh (chrism), consecrate virgins, consecrate churches, or publicly reconcile penitents (c. 6 Carthage).

G. Trial of a priest

A priest may not be convicted of any bodily sin on the evidence of a single witness: two or three witnesses are needed. If the charge is proved, let him cease to hold the clerical office (c. 2 I).

A priest may not be convicted of any offense on the evidence of those who are themselves under accusation (c. 6 II). Accusers of a priest are to be examined as to their character (c. 21 IV).

A priest who appeals to the emperor (i.e., civil authority) instead of to a synod against a sentence of deposition may not be restored, nor can his cause be reheard by the synod; he loses the right to appeal (c. 12 Antioch).

A priest who misappropriates church property is to be corrected, and the cause should be judged by the synod (c. 25 Antioch).

H. Penalties to be inflicted on a priest

See SUSPENSION OF A PRIEST; DEPOSITION (REASONS FOR); EXCOMMUNICATION OF A CLERGYMAN; ANATHEMA.

I. General regulations concerning a priest

A priest who is suspended or excommunicated by his bishop may not be restored by any other bishop unless the bishop who excommunicated him is dead (32 Ap; c. 4 I). A suspended or excommunicated priest may not be received by another unless he is restored by his own bishop or unless the sentence is reversed by a synod (c. 6 Antioch).

A suspended or excommunicated priest in one city may not be received in another without commendatory letters; otherwise both the receiver and the received should be excommunicated (c. 12 Ap). A priest who was suspended or deposed for leaving his own diocese may not be received as a clergyman in another diocese (c. 16 Ap; c. 3 Antioch). A priest is not to be received from abroad without commendatory letters; if he brings them, he still must be examined (c. 33 Ap).

If a priest receives a heretic and allows him to perform clerical offices, he must be deposed (c. 45 Ap).

The restoration by Nestorius or by his followers of deposed priests is declared void (c. 5 III).

An excommunicated priest may not bring accusations against a bishop (c. 6 II).

A priest bringing charges against a clergyman is to be examined as to character (c. 21 IV).

If restored, a lapsed priest is entitled to his former honors but is not allowed to officiate (c. 1 Ancyra).

A priest who confesses that he committed a carnal sin before his ordination shall abstain from making oblation, but he will retain other functions (c. 9 Neocaesarea).

A priest who goes to Constantinople and causes disturbances there is to be notified by the advocate of the imperial city; and if he shamefully continues the same practice, he shall be expelled by the same advocate (c. 23 IV).

A priest deposed for celebrating Easter (Pascha) before the vernal equinox, at the time of the Jewish Passover, is to be

deprived also of the external honor due the priesthood (c. 1 Antioch).

If the wife of a priest commits adultery, he must divorce her; but if he retains her, he may have no part in the ministry committed to him (c. 8 Neocaesarea).

A priest who is guilty of erecting an altar and building a congregation is to be admonished three times by his bishop before being punished (c. 31 Ap; c. 5 Antioch).

A bishop may not be reduced to the rank of a priest; for if he is guilty of crime, he is unworthy of priesthood. But if he was deposed without cause, let him be restored to the episcopal dignity (c. 29 IV).

Bishops are part of the priesthood (c. 6 II; c. 2 III; c. 26 IV; c. 19 Laodicea).

If reconciled to the catholic Church, a priest of the Cathari retains his orders and his rank among other reconciled clergymen (c. 8 I). If reconciled to the catholic Church, a bishop of the Cathari is to rank as a priest within the jurisdiction of a catholic bishop, or he may retain the honor of the title; if the situation is not satisfactory, the bishop may employ him as a *chorepiscopos* or as a priest (c. 8 I).

A priest of the Paulianists, reconciled to the catholic Church, if worthy, is to be ordained; if unworthy, he is to be deposed (c. 19 I).

A priest ordained by Maximus the Cynic is not priest, "since all which has been done concerning him [Maximus] or by him, is declared to be invalid" (c. 4 II).

A priest of the Phrygians seeking reconciliation to the catholic Church is to be instructed and baptized before admission (c. 8 Laodicea).

PRESBYTERA (MATHUSHKA, KHOURIEH, POPADIA, PREOTEASA, etc.): A presbytera is the wife of the priest from his and her first legal marriage (c. 26 VI; c. 27 Basil the Great). The presbytera, being the wife of the one who is holy to God, is supposed to be herself unblemished (i.e., a virgin; not a prostitute, divorced woman, or a widow; Lev. 21:7; c. 18 Ap). A virtuous wife is the crown of her husband; many other counsels concerning a Christian wife are contained in the *Apostolic Constitutions* (AC 1.8–10).

A clergyman (bishop, priest, or deacon) may not put away—that is, divorce—his wife under the pretext of piety; if he does that, he should be excommunicated, and if he persists, let him be deposed (c. 5 Ap).

As an exception to this canon (c. 5 Ap) concerns the priests of the churches in barbarian lands, who made the promise of abstaining from intercourse with their wives: they shall never afterward have any intercourse with them in any way (c. 30 VI).

If the wife of a clergyman—that is, a presbytera—commits adultery, the clergyman is required to divorce her; failing to do so, he ceases to be a clergyman (c. 8 Neocaesarea).

If the wife of a priest (presbytera) or of a deacon (diakonissa) commits adultery, she is penanced with three years of excommunication, dry food, and three hundred prostrations daily; she is more severely penanced than other women are because she causes the deposition of her husband. If the clergyman wants to keep her as wife, he should be defrocked; if he wants to retain his priesthood, he should divorce her (c. 62 John the Faster).

A presbytera whose husband has died, if she cannot stay in widowhood and is willing to marry a second time, should be allowed to do it (EL 1629).

PRESBYTERATE, DISQUALIFICATIONS FOR THE: See DISQUALIFICATIONS.

PRESBYTERESSES/PRESBYTIDES: Presbytides, or female presidents, are not to be appointed in the Church (c. 11 Laodicea).[249] See also DEACONESS.

PRESCRIPTIVE RIGHTS:[250] A bishop who exercises thirty years of peaceful and continual authority over a parish that legally does

249. Balsamon believed that presbytides were venerable women who took care that the other women kept good and modest order (See, NPNF 2.14: 130). On the other hand, Hefele believed that they were superior deaconesses who were the overseers of the other deaconesses (See, NPNF 2.14: 130) Still other commentators have asserted that they were widows over sixty years of age. Milash argued with the idea they they were deaconesses as they were not mentioned in c. 19 I or in c. 14 and 48 of VI. He believed that they were older women, teachers of good things (χαλοδιδάσκαλοι), mentioned by St. Paul (1 Tim. 5:2 and Tit. 2:3). They were in charge of women, teaching catechism, but not allowed to preach in the church. (See Milash, *Canons*, 2.1: 89-91)

250. The English comes from the Latin *prescrire*, a legal modality to acquire a right through an interrupted possession or to lose a right when not exercised. A long-term possession in good faith, in most cases ten to twenty years, without challenge from the

not belong to him, if no one disputes or raises any question about the situation, should continue to have canonical authority over the parish; however, if any disputes arise, the synod of the province will decide to whom the parish belongs (c. 17 IV; c. 25 VI).

If a bishop converts to Orthodoxy a parish from another eparchy, and he is not opposed by anyone for a period of three years, that parish should be not taken away from him afterward (c. 119 Carthage).

PRESIDING BISHOP: The presiding bishop of a country is to be consulted by the bishops under him before they do anything of importance, and he is not to act without their consent (c. 34 Ap). See also METROPOLITAN.

Presbyters may not enter and take their seats in the altar before the entrance of the bishop; they should enter with the bishop unless he be at home sick (c. 56 Laodicea).

PRETENDED ASCETICISM: See ASCETICISM.

PRIEST-PENITENT PRIVILEGE: Public confession, well known in the early Church, worked very effectively when the Church was persecuted. Once the Christian Church became the official Church of the empire, however, sins revealed in public confession were hurting people outside the community. This led to private confession and to the secret of confession. See CONFESSION, SECRET OF.

The priest-penitent privilege lies at the intersection of Canon Law and secular law. The privilege is strongly related to the secret of confession and can be applied or rejected in secular courts. See the "EXCURSUS ON THE PRIEST-PENITENT PRIVILEGE" in the Appendix.

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owner leads to the legal title of that property (*acquisitive prescription* or *usucapione*); conversely, failing to claim a debt or an obligation for a long time frees the debtor from the obligation (*extinctive prescription*). The prescriptive rights of the bishop are patterned after the institution of *usucapione*, defined in Roman law (e.g., Justinian, *Institutions* 2, 6.1–14, *De ususcapionibus et longi temporis possessionibus*) and widely used throughout the world. In many states of the United States of America, prescriptive rights can be claimed after a term of ten to twenty years of unhindered possession. The most celebrated case of US prescriptive rights is the situation of the Broadway alley that is a private road usually open to the public, but closed one day a year by police at the request of the owners, who want to make clear and public their interest in the property. Otherwise, after twenty or thirty years of uninterrupted public use, the alley would become the property of the city of New York.

PRIESTHOOD: Bishops are included in the priesthood (c. 6 II; c. 2 III; c. 26 IV; c. 19 Laodicea).

There is an understanding that the episcopate is both a dignity and a priesthood, as in the case of the bishop who is forced into a lower rank without cause; he retains both "the dignity and the priesthood of the episcopate" (c. 29 IV).

PRIESTLY ATTIRE: See ATTIRE, PRIESTLY.

PRIVATE JUDGMENT: Private judgment against the decisions of the Church is not permitted, and those exercising it should be deposed (c. 1 Antioch). This canon refers to private judgment against the decisions of the Church concerning the celebration of Easter (Pascha), but could be easily interpreted as applying to other doctrinal matters.

PRIVATE PSALMS: Psalms of private origin or uncanonical books should not be used in the Church (c. 59 Laodicea).

PRIVATE HOUSE: See HOUSE.

PROBATION: A bishop is to be appointed by the judgment of the metropolitans and neighboring bishops after having been proved in both faith and life (c. 12 Laodicea).

PROCLAMATIONS: Lapsed deacons who have been restored shall abstain from every sacred ministry, neither bringing forth the bread and the cup nor making proclamations (c. 2 Ancyra).

PROMOTION: If any bishop should ordain to any order a minister from another diocese without the consent of his own bishop, such an ordination should be counted as invalid and not confirmed (c. 15 Sardica). A clergyman who refuses a promotion bestowed on him by the bishop should be removed from the position that he did not want to leave (c. 31 Carthage).

PROPERTY (GOODS) OF THE CHURCH: The duty of the bishop is to take care of the property of the church and to administer it "as under the inspiration of God" (c. 38, 41 Ap; c. 12 VII; c. 24, 25 Antioch; c. 2 Cyril of Alexandria).

Church property may not be administered without the consent of the bishop (c. 7, 8 Gangra). The bishop administers church property with the help of a clergyman called the *economos* (c. 26 IV; c. 11 VII).

A bishop may not appoint his relatives as administrators of church property; if he does, he will be investigated by the synod of the province (c. 25 of Antioch).

If a diocese is temporarily without a bishop, the property of that church should be administered by the *economos* (c. 25 IV).

Church property is administered by the bishop with the knowledge of the clergy so in case of his death the property of the church is preserved and not bequeathed to presumptive heirs of the bishop (c. 24 Antioch; c. 10 Theophilos of Alexandria).

A bishop may use the property of the church for personal use,[251] as well as for the needs of the clergy and the poor (c. 41, 59 Ap; c. 25 Antioch).

A presbyter is not allowed to sell the property of the church without the approval of the bishop, and the bishop is not allowed to sell without the knowledge of the presbyters and the approval of the local synod (c. 33 Carthage).

The property of the church must be recorded and written in registers (c. 1 Constantinople I–II).

The church's property should be kept separate from the bishop's property. The bishop may leave his property to whomever he wants, but the church's property should stay with the church (c. 40 Ap; c. 24 Antioch).

A bishop is not allowed to use the church's property to build monasteries and so to deprive his eparchy (c. 7 Constantinople I–II).

One who takes out of the church any vessel or sanctified object for personal use should be excommunicated; a clergyman who does so should be deposed (c. 73 Ap; c. 10 Constantinople I–II; c. 11 Theophilos of Alexandria).

Property of the church may be sold only in cases of extreme necessity, and then only with the approval of those in authority—namely, bishops gathered in synod, the bishop, the priest, and laypeople (c. 26, 33 Carthage).

251. The bishop has the authority over the goods of the Church, for if he is entrusted with the precious souls of men, then also the temporal possessions are to be entrusted to him (c. 41 Ap.); but this is not indiscriminate authority to spend the revenue of the Church (c. 25 Antioch), as he is required to mange well the revenue and to keep records of the expenses.

Property of the church sold by the presbyters when there is a vacancy in the bishopric may be the reclaimed by the church; the sale may be annulled by the incoming bishop (c. 15 Ancyra).

Without the knowledge of the bishop, the priests and the deacons may not do anything involving the property of the church (c. 39 Ap).

Personal property brought into the monastery by a candidate for monasticism remains the property of the monastery unless the monk leaves the monastery because of the fault of the abbot (c. 19 VII).

A bishop may leave his personal property to whomever he wishes (c. 24 Antioch). But he is not allowed to leave his property through last will and testament to the heterodox, even when they are his relatives. Those breaking this canon should be declared anathema, and their names should no longer be commemorated (c. 81 Carthage).

Clergy who seize the personal property of the bishop after his death should be deposed (c. 22 IV). At the death of a bishop, the metropolitan is not allowed to appropriate or sell the personal property of the deceased bishop or of the orphan church; that property should be given into the custody of the local clergy until the election of a new bishop. The metropolitan is required "to protect the property without diminution, handing over everything to the bishop when he is appointed" (c. 35 VI).

If a clergyman gains a substantial property as result of his ministerial position, that clergyman should receive an admonition in order to give that property back to the church during his lifetime or after death; also, if a clergyman promised to give the church all or part of his personal property and then recants his promise, that clergyman should be deposed (c. 32 Carthage). This canon was given at a time when the clergy were supported by the income of the diocese and a sudden enrichment was viewed as raping God's goods. Today, the canon may refer to what is received or acquired in consideration of the ministerial position that exceeds that which can be procured from a decent salary.

PROSELYTE: See NEOPHYTE.

***PROSKOMIDE*:** See OBLATION.

PROSTRATORS: See PENANCE.

PROVINCE: The metropolitan is the first among the bishops of his province, and they do nothing of consequence without his consent (c. 34 Ap; c. 9 Antioch).

No bishop may ordain persons to the ministry beyond his own province unless he has a written invitation from the local bishop or metropolitan; if without invitation he ordains or administers affairs, what he does shall be void and he himself should be deposed (c. 13 Antioch).

Bishops of one province may take part in the trial of a bishop of a neighboring province if the bishops of that neighboring province cannot agree on the sentence (c. 14 Antioch).

A bishop who refuses to proceed to his parish (i.e., diocese) is to be excommunicated until he undertakes it or until a full synod of the bishops of the province decides concerning him (c. 36 Ap; c. 17 Antioch).

In case of factious opposition, the selection of a bishop should be done by a majority of votes of the bishops of the province (c. 6 I; c. 19 Antioch).

It is proper that a bishop should be chosen by all the bishops of the province, but if this is difficult on account of distance, at least three should meet together and the votes of the absent bishops (in writing) should be procured, then the ordination should take place. But in every province the ratification of an election should be left to the metropolitan (c. 4 I).

Bishops must not leave their own diocese and go to churches beyond their boundaries. The authority of the leaders of the church and of the synod of each province is confined to the affairs of that particular province (c. 2 II).

None of the bishops most beloved by God shall take hold of any other province that was not formerly and from the beginning in his jurisdiction or was not, that is to say, held by his predecessors. Let the rights of every province, formerly and from the beginning belonging to it, be preserved clear and inviolable (c. 8 III).

The usurpation of a province by an exarch is not permitted (c. 8 III).[252]

252. The canon refers to the Bishop of Antioch, who conducted ordinations in Cyprus even though by the canons of the Holy Fathers and by ancient custom the bishops of Cyprus themselves enjoyed that privilege. Three bishops of Cyprus (Rheginus, Zeno and Evagrius) complained to the 3rd Ecumenical Council of Ephesus (431 AD) about the situation and the Holy Synod vindicated not only them, but actually re-confirmed the rights and priviledges acquired in time by all provinces.

A bishop is not allowed to divide a province in two, thus creating a new metropolis, with the help of an imperial rescript; a bishop who attempts to do this shall be degraded. But the cities that were already honored with the name of metropolis and the bishop in charge shall take the bare title, all metropolitan rights being preserved to the true metropolis (c. 12 IV).

Rural or country parishes in any province should be remain under the authority of the local bishop, especially if they were held and managed for thirty years or more without any dispute concerning his authority. If disputes arise, those claiming that they have been unjustly treated by the local bishop shall be permitted to complain to the synod of the province. Conversely, if the dispute arises with the metropolitan, let them complain to the exarch of the province or before the throne of Constantinople (c. 17 IV).

Appointment of the clergy and the election of the bishops should be done according to the canons and not under the influence of civil rulers. But the ratification of the proceedings is to be entrusted in each province to the metropolitan (c. 3 VII).

PROVINCIAL CHURCHES: The rights of provincial churches are to be maintained according to ancient custom (c. 6 I; c. 8 III).

PROVINCIAL SYNODS: See SYNOD.

PROVINCIAL BISHOPS: See BISHOP.

PSALMS: The Psalms are not to be joined together in the congregation, but lessons and verses should be interspersed in between them "so as to repel weariness" (c. 17 Laodicea). No Psalms composed by private individuals nor any uncanonical books may be read in church (c. 59 Laodicea).

During Bright Week, the week after Easter (Pascha), the faithful should be free of labor, rejoicing in Christ's resurrection with psalms, hymns, and spiritual songs, applying their minds to the reading of Scriptures and delighting in the holy mysteries; therefore, on the aforesaid week there must not be any horse races or public spectacles (c. 66 VI).

A communicant who vomits immediately after partaking of Holy Communion should be penanced with forty days of excommunica-

tion and reading of fifty psalms and doing fifty prostrations daily (c. 48 John the Faster).

PUBLIC BUSINESS: Bishops and priests are not allowed to engage in the management of public business. If they are not persuaded to cease their engagement, they should be deposed, "for no man can serve two masters, according to the Lord's declaration" (c. 81 Ap).

Clergymen and monks are forbidden to act as agents of laypeople—that is, they should not lease or rent property, nor engage in business, nor preoccupy themselves with worldly engagements; the only exception is the guardianship of minors when the law so requires (c. 3 IV).

No one may practice any business (e.g., selling food, drinks, or any other products) in the narthex or in the courtyard of the church; anyone who dares to do so should be excommunicated (c. 76 VI).

PUNISHMENT (TWICE FOR THE SAME OFFENSE): Latin penal legislation[253] and Biblical prescription (Nah. 1:9) did not allow authorities to punish an individual twice for the same offense. Today the concept is known in the legislation of the United States of America as *double jeopardy*, a procedural defense that forbids the trial of a defendant again on the same or similar charges following a legitimate acquittal or conviction.

If a bishop, presbyter, or deacon is found guilty of fornication, perjury, or theft, let him be deposed, but let him not be excommunicated; for the Scriptures say, "thou shalt not punish a man twice for the same offense." In like manner, the other clergy shall be submitted to the same proceeding (c. 25 Ap).

If a clergyman commits mortal sins, he should be degraded from his rank (i.e., deposed) but not excluded from the society of laypeople (i.e., excommunicated), for "you shall not exact vengeance twice for the same offense" (c. 32 Basil the Great).

QUARTODECIMANS or TETRADITES: Quartodecimans were those people who insisted on observing the Easter (Paschal) festival at the time of the Jewish Passover, on the fourteenth day of Nissan, whatever day of the week it happened to fall. Quartodecimans are admitted into the catholic Church through chrismation after

253. See the Roman penal principle *non bis in idem*, eventually adopted by the Christian Church. Basil the Great used this principle in c. 25, 32, 51.

renouncing all heresies, especially their own (c. 7 II; c. 7 Laodicea). They are required to learn the symbol of faith, the creed, "and having been anointed with the chrism, shall so communicate in the holy mysteries" (c. 7 Laodicea).

RANK: The rank, or order in honor, of the bishops is established in accordance with the importance of the cities where they preside (c. 6 I; c. 3 II; c. 28 IV; c. 36, 38 VI) and based on the years of ordination (*presveia*; c. 86 Carthage). The ranks of sacramental hierarchy are superior to those of the Church administration (c. 18 I; c. 7 VI).[254] See also PRECEDENCE.

Bishops who separate themselves (through apostasy or joining heretics) from the synod should be deposed from the priesthood and degraded from the rank (c. 1, 2 III).

Those who are themselves under accusation should not be received as accusers of a clergyman of any rank (c. 6 II).

Those clergymen who have been inhibited by Nestorius and his followers in exercising their priesthood on account of their Orthodoxy should be restored to their proper rank (c. 3 III).

A bishop may not put to sale a grace that may not be sold; any ordination or appointment done for money should be without effect, and the ordainer shall forfeit his rank (i.e., face degradation; c. 2 IV; c. 22 VI).

A clergyman who is lawfully transferred to another parish is not allowed to meddle with the martyries of his former ministry; if he dares to do so, he should be degraded from his rank (c. 10 IV).

A bishop is not allowed to obtain an imperial rescript—that is, an appeal to the civil authorities—for dividing a province; the bishop who does so should be degraded, or demoted, from his rank (c. 12 IV).

If a city is elevated in rank by the secular or civil authority, the Church should follow the elevation, for "the order of ecclesiastical parishes shall follow the civil and public forms" (c. 17 IV; c. 38 VI).

Laypeople or monks who facilitate a candidate's ordination or installation in a church position through simony should be anathema; clergy who do so should lose their rank (c. 2 IV; c. 5 VII; Letter of Gennadius; Letter of Tarasius).

254. This canon was issued because of some abuse of authority—namely, the deacons of the metropolitan or of the patriarch partook of the Eucharist before the priests did or were seated before they were.

At a bishop's death, his property is not to be seized for the Church; the clergymen who do that shall be in danger of degradation from their own rank (c. 22 IV).

If a bishop cannot be degraded (i.e., demoted) to the rank of a priest, he is to be either altogether deposed or restored to his former rank (c. 29 IV).

Higher-ranking clergy should not abuse their subordinate clergy (c. 4 VII).

Due care must be taken when someone is to be ordained a bishop; he should pass through the ranks, and not for a short while. One who does not follow this path would naturally be deemed a neophyte (c. 10 Sardica).

A bishop who is prevented from undertaking his ministry by people of the city is to retain his rank, but the clergy of that city shall be excommunicated because they have not corrected the disobedient people (c. 36 Ap; c. 18 Antioch).

Presbyters who offered sacrifices to idols and afterward returned in sincerity to the Christian faith shall retain the honor of the chair, their rank, but are not permitted to make oblation, to preach, or in short to perform any act of sacerdotal function (c. 1 Ancyra). The same applies to deacons who offered sacrifices to the idols and then returned to the true faith; they should keep the rank and honor but are not allowed to perform liturgical functions (c. 2 Ancyra).

A *chorepiscopos* may ordain faithful to the rank of minor clergy, but he may not ordain deacons and priests without the approval of the ruling bishop; if he transgresses this rule, the *chorepiscopos* should be deposed from the rank he enjoys (c. 10 Antioch).

A bishop who has not been received by his diocese may retain his rank (c. 36 Ap), and if he wants, he may resume his position as priest (c. 18 Ancyra).

Clergymen of every rank and monks are not allowed to enter a tavern (c. 24 Laodicea).

A clergyman may not address the emperor without the consent of the metropolitan and provincial bishop; whoever does so should be deposed and cast out not only from communion but also from the rank he happens to have (c. 11 Antioch).

An abbot who receives someone in monasticism without passing him through the novitiate (*rassophoria*, from six months to three years) should lose his rank of abbot and be sent to another

monastery for obedience (c. 5 Constantinople I–II). No layman or monastic should be promoted at once to the episcopal dignity; he should pass through all the ranks, staying in each at least five years (c. 17 Constantinople I–II).

Those who were forced through violence to join the Arian heresy but who in their hearts kept the true faith should be forgiven and received back at the rank to which they belonged; as for the leaders who mislead the faithful (Eudoxius of Constantinople and Euzoius of Antioch), they should be anathematized (c. 3 Athanasios the Great).

If a clergyman commits mortal sins, he should be degraded from his rank (i.e., deposed) but not excluded from the society of laypeople (i.e., excommunicated), for "you shall not exact vengeance twice for the same offense" (c. 32 Basil the Great).

Because St. Basil wanted to extirpate simony, so he threatened the *chorepiscopoi* with deposition from that rank if they did not cease to ordain others for payment (c. 90 Basil the Great).

People who put on vestments not appropriate to their status or rank should be deposed if they are clerics, or never admitted to ministry if they are laypeople and seek ordination (Symeon of Thessalonika, IX.29).

RAPE: One who has committed rape of a virgin who is not betrothed should be excommunicated, and he must marry her, even if she is poor (c. 67 Ap). But if she is betrothed, he must restore her to the man to whom she is betrothed (c. 11 Ancyra).[255]

A clergyman who commits rape is punished with deposition, while a layman is punished by anathema (c. 27 IV).

The holy synod decrees that clerics who in the name of marriage carry off women (i.e., rape them) should lose their rank, and laypeople who do so should be anathematized (c. 92 VI).

If a woman is forced into a sexual act, she is not to be penanced for fornication; the same applies to a slave who is abused by her master (c. 49 Basil the Great).

If the life of a nun was pure and she was raped by barbarians, she should be penanced with forty days; but if in her previous life she

255. Here Balsamon qualified the canon with a caveat: the perpetrator is to restore the woman if the man to whom she was betrothed still wants her to be his wife.

was polluted, she is to be penanced as a fornicator (c. 21 Nicephorus the Confessor).

If a nun heard from others about an adultery or rape of children and she does not report the sin to the mother superior, she will incur the same penalty as the perpetrator (c. 38 John the Faster).

RATIFICATION: Ratification by the metropolitan is necessary for the validity of the election, or appointment, of a bishop (c. 4, 6 I).

No one anywhere may build or found a monastery or oratory contrary to the will of the bishop of the city (c. 4 IV).

appointment of clergy and the election of bishops should be done according to the canons and not under the influence of civil rulers. But the ratification of proceedings is to be entrusted in each province to the metropolitan (c. 3 VII).

RAVISHER: A clergyman who ravishes a woman under pretense of marriage is punishable by deposition; for the same, a layman is punished by anathema (c. 27 IV). See also RAPE.

Virgins who have been betrothed and afterward carried off by others should be restored to those to whom they had formerly been betrothed, even though they may have suffered violence from the ravisher (c. 11 Ancyra).

READER: A reader may be ordained by his bishop but also by a *chorepiscopos* (c. 11 Antioch).

With the approval of the bishop, a *chorepiscopos* may ordain exorcists, readers, and subdeacons (c. 10 Antioch; c. 14 VII).

A reader must fast during Great Lent and on Wednesdays and Fridays unless prevented by bodily weakness; failing to do so, he will be deposed (c. 69 Ap).

In certain provinces, readers and singers may marry before ordination (c. 14 IV). A reader may marry after ordination (c. 26 Ap).

If any bishop, presbyter, deacon, subdeacon, reader, cantor, or doorkeeper has had intercourse with a woman dedicated to God, let him be deposed as one who has corrupted a spouse of Christ; if he is a layman, let him be cut off (c. 4 VI).

If a reader is given to dice and drunkenness, he is to give up the habit; otherwise, he will be excommunicated (c. 43 Ap). A reader is not allowed to enter a tavern (c. 24 Laodicea).

Only those who are tonsured as readers are allowed to read from the pulpit (c. 15 Laodicea; c. 33 VI; c. 14 VII).

A reader has no right to wear an orarion and to read thus habited (c. 23 Laodicea).

Those who read in the church [readers] at least once, may not be advanced to the higher rank by bishops from other dioceses (c. 90 Carthage).

A reader may not officiate in another town without commendatory letters (c. 13 IV).

A reader is not allowed to intermarry with or to give his children in marriage to heretics (c. 14 IV).

An abbot who is also a priest may ordain in his monastery candidates to minor orders—that is, to acolytes, readers, subdeacons, and so on (c. 14 VII; c. 6 Nicephorus the Confessor).

In the order of partaking of Holy Communion, "let the bishop partake, then the presbyters, and deacons, and subdeacons, and the readers, and the singers and the ascetics; and then of the women, the deaconesses, and the virgins, and the widows; then the children; and then all the people in order, with reverence and godly fear, without tumult" (AC 8.13).

"Ordain a reader by laying thy hands upon him, and pray unto God. . . . for Thy servant, who is to be entrusted to read Thy Holy Scriptures to Thy people, and give him Thy Holy Spirit, the prophetic Spirit" (AC 8.22).

"It is not lawful for a subdeacon to separate [command, order] either one of the clergy or laity; nor for a reader, nor for a singer, nor for a deaconess, for they are ministers to the deacons" (AC 8.28).

Two ordinations are done through the laying of hands outside of the altar, that of a reader and that of a subdeacon (Symeon of Thessalonika, VI.156).

St. Symeon of Thessalonika dealt with regulations concerning readers, describing the ordination of a reader by the hierarch and explaining the meaning of blessings, intercessions, and gestures (VI.158), interpreting the tonsure of a reader (VI.159), and detailing the duties of the reader (VI.160).

READING: The public reading of heretical and spurious books in church as Scripture is forbidden; whoever does so shall be deposed (c. 60 Ap). The reading of uncanonical books is not allowed in the Church (c. 59 Laodicea).

Communicants are required to remain in church for the reading of Scriptures and for the oblation—that is, the distribution of Holy Communion (c. 9 Ap; c. 2 Antioch).

During Bright Week, the week after Easter (Pascha), the faithful should be free of labor, rejoicing in Christ's resurrection with psalms, hymns, and spiritual songs, applying their minds to the reading of Scripture and delighting in the holy mysteries (c. 66 VI).

Heretics quote from apocryphal books, and other books not canonically sanctioned are recommended for reading by heretics. The apocrypha are an invention of the heretics who wrote them by adding to them dates and years in order to show them as ancient documents, thus deceiving honest people (c. 3 Athanasios the Great).

A communicant who vomits immediately after partaking Holy Communion should be penanced with forty days of excommunication and reading of fifty psalms and doing fifty prostrations daily (c. 48 John the Faster).

A layman who curses and blasphemes should be canonized for a year with fasting, prostrations, almsgiving, and reading the Scriptures (EL 175).

REBAPTISM: A bishop or priest is not allowed to rebaptize one who has received a true baptism; he who dares to do so should be deposed (c. 47 Ap). However, Paulianists who are reconciled with the catholic Church must be rebaptized (c. 19 I), and Phrygians reconciled with the catholic Church must be rebaptized (c. 8 Laodicea).

Children baptized by the Donatists who mature and come to the catholic Church, after anathematization of their heresies should be received through chrismation (anointing with myrrh) and may be ordained through imposition of hands without being rebaptized, for the Apostle Paul proclaimed, "One Lord, one faith, one baptism" (Eph. 4:5; c. 57 Carthage).

The decree of the Synod of Capua stated that no rebaptisms and no reordinations should take place and that bishops should not be transferred (c. 48 Carthage).

REBELLION: A clergyman who was deposed and after that persists in troubling and disturbing the Church should be turned over to the civil authorities to be punished (c. 5 Antioch).

A clergyman who insults the king or the ruler, or rises in rebellion against the civil authority or against the bishops and fellow clergy should be deposed (c. 84 Ap; c. 18 IV; c. 34 VI).

Rebellion of clergymen against their bishops is punishable by deposition, and rebellion of monks and laypeople is punishable by excommunication (c. 8 IV).

RECEPTION: Reception of a suspended or excommunicated person without commendatory letters is not permitted; in this case, both the receiver and the received should be excommunicated. If the person is already excommunicated, let the time of excommunication be extended (*akriveia*; c. 12 Ap).

Reception by a bishop of suspended priests in their clerical capacity leads to his excommunication (c. 16 Ap).

Reception of a foreign clergymen without commendatory letters is not permitted (c. 33 Ap).

Reception by a bishop of excommunicated persons is not permitted; if the excommunicated one executes any sacramental or clerical ministry, he has no prospect of restoration and loses the right to appeal, and those communicated with him shall be cast out of the Church (c. 4 Antioch).

Reception of candidates for baptism after the second week in Great Lent is not permitted (c. 45 Laodicea).

RECEIVER: One who receives a person who is under ecclesiastical censure and not bring commendatory letters is to be suspended (c. 12 Ap).

A bishop may not receive people excommunicated by another bishop unless they were restored by their own bishop or by the synod; otherwise, both the received and the receiver should be excommunicated. If the received was already excommunicated, the time of his excommunication is to be lengthened (*akriveia*; c. 12 Ap; c. 6 Antioch).

A bishop or the person appointed (i.e., *economos* or steward) to receive the fruits or the revenues offered to the Church should be the ones receiving them; if someone else receives them or distributes them without the knowledge of the bishop, both the giver and the receiver should be anathema (c. 7, 8 Gangra).

The unlawful receiver of the offerings of the Church is to be anathematized (c. 8 Gangra).

A bishop may not receive a clergyman of another bishop; if such a thing is done, both the received and the receiver shall be excommunicated until the clergyman returns to his own parish (c. 20 IV).

RECLAMATION: The reclamation by a bishop of Church property sold by priests during the vacancy of the see is required; the bishop should decide whether it is better to receive the purchase price or the revenue of the things sold (c. 15 Ancyra).

RECONCILIATION: Reconciliation is the process by which a person fallen in sin is brought back into communion with the Church; reconciliation assumes repentance and penance (*epitimia*). Reconciliation is part of the sacrament of confession and is conducted by a spiritual father or spiritual director. See also *EPITIMIA*.

Reconciliation of penitents is done by the bishop (c. 6 Carthage). A priest may reconcile offenses that have been public and are commonly known only in exceptional cases and only in the absence of the bishop (c. 7, 43 Carthage). When the offense of any penitent has been public and is commonly known, so as to have scandalized the whole Church, the penitent shall receive forgiveness and absolution publicly, by the imposition of hands, in the front of the church's doors (c. 43 Carthage). A presbyter may not publicly reconcile penitents (c. 6 Carthage).

A bishop has the right to apply *economia*—that is, to reduce the penances—in the cases of those who sincerely repent of their sins (c. 12 I; c. 16 IV; c. 102 VI; c. 5 Ancyra; c. 74 Basil the Great).

"Players and actors and other persons of this kind"—that is, people who live and attract others to an immoral life—and also apostates who converted should not be denied grace or reconciliation (c. 45 Carthage).

If a bishop reveals that a person confessed to him a crime and then the person denies it, the bishop should not be believed on his word alone and should be compelled to hold communion with that person; if the bishop refuses to do so on the alleged ground that he may not have fellowship with a person who deserves to be excommunicated, that bishop loses communion with other bishops (c. 132 Carthage).

Certain classes of heretics are required to learn the symbol of faith, the creed, before reconciliation to the catholic Church (c. 7 Laodicea).

A monk or nun who decides to marry commits fornication—in fact, adultery, for monasticism is their true marriage—and they should be excommunicated until the time of repentance; if they die before reconciliation with the Church, they should not have a funeral service or be buried in the cemetery or be commemorated in the trisagion and memorial service (EL 88).

RECONCILIATION OF HERETICS: See HERETICS.

RECUSATION: A clergyman under judgment by the synod has the right to recuse some of his judges if he believes that they are biased against him (c. 1 Cyril of Alexandria).

REFEREE: See ARBITRATOR.

REFORMATION OF THE CHURCH: The bishops called to a synod must not be guilty of contempt, but either teach or be taught, for the reformation [betterment] of the Church and of others (c. 40 Laodicea).

REFUGEES: Clergymen who have been driven by necessity from their own country are allowed to officiate in the country of their adoption. This is an exception to the canon that requires that a clergyman be sent back to his own church; otherwise, both the receiver and the received should be suspended (c. 20 IV).

REFUSE: A clergyman who refuses to pastor the faithful for whom he was ordained should be excommunicated (c. 36 Ap; c. 17 Antioch). If a bishop is willing to go to his city but the people refuse to receive him, the clergy of that city should be excommunicated because they have not corrected the disobedient people (c. 36 Ap; c. 18 Ancyra).

A bishop must partake of Holy Communion or give reasons for refusing; if he does not partake and refuses to give a reason, he should be excommunicated (c. 8 Ap).

If a deacon leaves his parish without approval and makes his abode in another parish, he is not allowed to officiate divine services; if he refuses to return to his own parish or officiates services he should communicate as a layman (i.e., be defrocked; c. 15 Ap).

A clergyman who transfers himself to another parish without the approval of his bishop should be forced to return to his parish; if he refuses, he should be excommunicated (c. 15 Ap; c. 15, 16 I; c. 20 IV). For the same situation, c. 3 Antioch imposes deposition.

A clergyman who refuses the office for which he was ordained and the care of laity entrusted to him should be excommunicated (c. 29 Ap).

A bishop and a priest are not allowed to rebaptize one who rightly received the baptism and are not allowed to refuse baptism to one who has been polluted by the impious (c. 47 Ap).

A bishop who refuses to help a clergyman in need should be excommunicated; if he persists, he should be deposed (c. 49 Ap).

A clergyman who does not believe in the sanctity of marriage and at wedding feasts refuses to eat meat and drink wine should be deposed (c. 51, 53 Ap).

A priest shall be suspended if he refuses to supply what is needed to a fellow clergyman in want; he is considered as one who has killed his brother (c. 59 Ap).

A synod may pass a sentence on a bishop in his absence if after being summoned three times he refuses to attend (c. 74 Ap).

If a clergyman is summoned to the ecclesiastical court and refuses to come, he will be judged *in absentia* (c. 74 Ap; c. 19, 77 Carthage).

Oblation (Holy Communion) is not to be refused to the dying in any case (c. 13 I), even if they are under penance (c. 6, 16, 22 Ancyra; c. 2 Neocaesarea); but the dying are to be examined by the bishop before receiving the Eucharist (c. 13 I).

A deacon is not allowed to sit among the priests; if he refuses to obey this decree, he should be deposed (c. 18 I).

The Egyptian bishops who refused to sign a letter of Leo, Pope of Rome, before the appointment of the Bishop of Alexandria, were asked to take an oath that they would not leave Chalcedon until the appointment was made (c. 30 IV).

A monk is not allowed to leave the monastery without the approval of the abbot (c. 46 VI; c. 21 VII; c. 3 Constantinople I–II). If he thinks that the abbot has unjustly refused to grant permission, he should appeal to the bishop (c. 6 Nicholas of Constantinople).

Those who refuse to receive Holy Communion from a married priest should be pronounced anathema (c. 4 Gangra).

A woman who marries her brother-in-law and refuses separation should be excommunicated (c. 2 Neocaesarea).

A priest or a deacon who leaves his parish without approval and refuses to return should be deposed with no further right to defense and no hopes of restoration (c. 3 Antioch).

A priest or a deacon who despises his bishop and gathers a separate congregation, raises an altar, and if summoned twice by the bishop refuses to obey should be deposed with no further remedy (no right to defense) and no possibility of regaining his rank (c. 5 Antioch).

A clergyman who refuses to submit to the judgment of the Church should be deposed (c. 15 Carthage).

A bishop accused of some wrongdoing who, being duly summoned by letters, refuses to come to the judgment of the ecclesiastical court presided by the primate of the province should be suspended from communion (c. 19 Carthage).

A clergyman who refuses a promotion bestowed on him by the bishop should be degraded from the position that he did not want to leave (c. 31 Carthage).

The grace of the Lord should not be refused to those who repent; the lapsed person who has done sacrifice under torment of violence should be received back, as a repentant actor is to be received to penance (c. 45 Carthage).

A clergyman accused of some impropriety may be sanctioned in his absence if he systematically refuses to come to judgment (c. 77 Carthage); likewise, the judgment is to take place even if the accuser refuses to appear at the judgment (c. 100 Carthage).

Clergy who refuse to submit to ecclesiastical judgment should be deposed (c. 15, 104 Carthage).

Some clergymen and monks left their eparchies without the authorization of their bishop and went to the imperial city of Constantinople and caused disturbances there. The synod decided that they should be first notified by the advocate of Constantinople to return to their cities, and if they refused, they were to be expelled by the same advocate (c. 23 IV).

One who has witnessed a sin and refuses to bear witness will be punished with the same *epitimia* as the one who sinned (c. 71 Basil the Great).

If a monastic renounces his calling and then eats meat and gets married and refuses to come back, he should be anathematized, forced into the habit, and locked in the monastery (c. 35 Nicephorus the Confessor).

The offering of bread (*prosphora*) from sinners who refuse to repent should be rejected. The same for women married to pagans

or heretics, though clergy should receive from these women candles and oil, and prayers should be read for them. As these women may not receive Holy Communion, no particles should be extracted for their requests, though they can receive antidoron and holy water (Symeon of Thessalonika, IX.47).

RELATIVES: A bishop is not allowed to bestow Church property upon his relatives; if they are poor, he is to relieve them like the rest of the poor (c. 38 Ap).

A bishop is not allowed to ordain one of his relatives to the episcopal dignity, for it is not right to give "things of God to human affections"; if anyone does so, the ordination should be void, and the ordained himself should be punished with excommunication (c. 76 Ap).

A bishop may provide for his relatives in need from his private property (c. 40 Ap; c. 24 Antioch).

A bishop is not allowed to entrust his relatives with the management of church funds; if he does so, he should submit himself to an investigation of the provincial synod (c. 25 Antioch).

If any person who pleaded his case in any church according to the apostolic law (1 Cor. 6:1–5) imposed upon the Churches is not satisfied with the decision of the clergy, and he brings his cause to a civil court to be judged anew as if judgment had never been pronounced, the civil authority should not allow a clergyman who was cognizant of the cause or was present or even one of his relatives (who may be cognizant) to be summoned to the civil trial as a witness (c. 59 Carthage).[256]

256. In order to understand this canon, recall that the emperor Constantine gave the Church the authority to judge not only ecclesiastical matters but also secular matters; however, emperor Honorius in 399 rescinded this decree and allowed the Church to judge only ecclesiastical disputes. Some people took advantage of this change and, unhappy with the resolution of disputes in the Church, brought the same disputes before secular courts and asked that the clergymen or their relatives be summoned as witnesses. Nikodim Milash underscored that this change of venue (from ecclesiastical to secular) was illegal and that the emperors were required to intervene (See, Milash, *Canons* 1.2:224–225). This change of venue could raise additional issues for the Church—for instance, the impossibility of keeping the confidentiality of declarations, a direct attack on the seal of confession, and a challenge to the clergyman's ecclesiastical interdiction to take an oath.

Marriage with relatives within the prohibited degrees should be dissolved and the parties punished with the penance of adulterers (seven to fifteen years excommunication; c. 68 Basil the Great).

Marriage with two sisters is not to be deemed marriage (c. 87 Basil the Great).

RELEASE (FROM EXCOMMUNICATION): An excommunicated clergyman may be received back into communion only by the bishop who excommunicated him or by his legitimate heir (c. 32 Ap). The canon also applies to the laity and to all enrolled on the clergy list (c. 6 Antioch).

A man ought not to marry successively two sisters, nor a woman two brothers; likewise, a man may not marry his brother's wife. In all these cases the person may not be released from the sin unless he or she terminates the unlawful marriage (c. 23, 78; 87 Basil the Great; c. 11 Timothy of Alexandria).

No bishop or patriarch is allowed to grant release to a marriage between a man and two women or between a women and two men (EL 1727).

RELEASE (FROM FASTING): Those who are sick are released from the rules of fasting (c. 69 Ap; c. 10 Timothy of Alexandria).

Those who fasted more strictly could receive release from fasting, while those who did not strive in fasting should not receive release (c. 1 Dionysios of Alexandria).

A pregnant woman should receive release from keeping the Paschal fast of Great Lent (c. 8 Timothy of Alexandria).

If the Annunciation falls on Holy Thursday, the faithful may receive release from fasting to fish and wine (c. 5 Nicephorus the Confessor).

During Great Lent, the monastics should not work in the gardens, so they should receive not release to consume wine and oil (c. 16 Nicephorus the Confessor).

Whoever grants release from fasting on Wednesdays and Fridays is, like the Jews, crucifying Christ, because Wednesday Christ was betrayed and Friday he was crucified (EL 1552).

On Sundays of Great Lent, the faithful celebrate the liturgy of Basil the Great . . . as for eating, we eat vegetables with oil and also we get release for wine, but fish we do not eat (*Great Typikon* in EL 1574).

RELICS: Clergy may be assigned not only to the parishes of the city and countryside but also to the churches and the altars raised on top of the graves of the martyrs or on the places where they suffered martyrdom, known as martyries (c. 6 IV). This proves not only the strength of the cult of the martyrs but also that in AD 451 the practice of placing relics in the altar table was not yet generalized.

No memory of the martyrs should be at all accepted in some places unless the body or some relics are found, unless the martyr's habitation is proved with authority to have been there, or unless his or her passion took place there (c. 83 Carthage).

Relics shall be placed with the accustomed service in as many of the sacred temples as have been consecrated without the relics of the martyrs.[257] And if any bishop from this time (AD 787) forward is found consecrating a temple without holy relics, he shall be deposed as a transgressor of the ecclesiastical tradition (c. 7 VII).

REMARRIAGE: One who married twice after his baptism or who had a concubine may not become a clergyman (c. 17 Ap). See also MARRIAGE.

A clergyman who marries after ordination should be deposed; ordination is seen as his first marriage (c. 3; 6 VI; c. 10 Ancyra).

"It is right, according to the ecclesiastical canon, that the Communion should by indulgence be given to those who have freely and lawfully joined in second marriages, not having previously made a secret marriage; after a short space, which is to be spent by them in prayer and fasting" (c. 1 Laodicea).

REMARRIAGE, OF CLERGYMEN: Remarriage was forbidden to clergy from the very beginning of the Christian era: "Now a bishop must be above reproach, married only once"; "let deacons be married only once" (1 Tim. 3:2, 12); "appoint elders in every town, as I directed you: someone who is blameless, married only once" (Titus 1:5–6).

Origen (d. 254) transmitted the understanding of the Church concerning remarriage of clergymen that was eventually included in the canons of the Holy Fathers: heretics who opposed the marriage of the faithful as well as those in the catholic Church who allowed

257. This canon was given after the iconoclasm controversy, when icons were thrown out of the churches and some of the churches were consecrated without relics.

fornication, adultery, and the second marriage of clergymen may not see the kingdom of God (Origen, *Homily 18 on St. Luke*).

Clergymen of major orders or minor orders (with the exception of readers and singers) may not marry after ordination (c. 26 Ap). In the whole history of the Christian Church, only one exception is known to this rule: in the fourth century in the region of Ancyra, a very young man was allowed to marry after ordination if he declared his intention to marry to the bishop before his ordination; if he failed to announce his intention to the bishop, he would be deposed (c. 10 Ancyra). This canon, which contradicts c. 26 Ap, was abrogated by c. 3, 6 VI.

An argument for the remarriage of clergymen in which social or familial criteria are used does not hold for them because at the time of ordination they accepted the canons of the Church, which ban marriage after ordination (c. 26 Ap; c. 3, 6 VI; EL 1678).

The Pan-Orthodox Congress of Constantinople under Ecumenical Patriarch Meletios IV, held May–June 1923, decided that priests and deacons who had been widowed should be allowed, with the approval of local churches and of the competent bishop, to contract a second marriage.[258] This measure was reckoned canonical until the convocation of a pan-Orthodox council, to which alone is reserved to invest this legislation with catholic authority.[259]

A clergyman who is convicted of fornication or adultery should be deposed (c. 2 I; c. 1 Neocaesarea).

Concubinage of a clergyman is not marriage, and the ones living in concubinage should always separate, so as not to give heretics occasion to blame the Church (c. 6 Basil the Great). See also CONCUBINAGE; FORNICATION, OF THE CLERGYMAN.

REMOVAL: A bishop who has been unjustly removed from his see is to be restored (c. 29 IV). See also TRANSFER.

258. At the invitation of Ecumenical Patriarch Meletios IV Metaxakes, representatives of the Orthodox Churches of Russia (in exile, judged as uncanonical by the Church of Russia), Romania, Greece, Serbia, and Cyprus participated. This council was far from meeting the requirements of a local synod and clearly was not an ecumenical synod.

259. Such a pan-Orthodox council never met; thus, the decisions of the Pan-Orthodox Congress were not accepted or ratified by the rest of the Orthodoxy nor by the signatory countries themselves.

RENUNCIATION: Renunciation of all heresies, especially their own, is required from heretics before their admission to the catholic Church (c. 8 I; c. 7 II; c. 7 Laodicea).

The following belong to the ritual of baptism: exorcism, renunciations, blessing of the baptismal water, anointing with oil, triple immersion, and anointing with myrrh—that is, chrism (c. 91 Basil the Great).

Teaching about the triple immersion in water of the candidate to baptism and the three renunciations of Satan comes from Holy Tradition (c. 92 Basil the Great).

REORDINATION: Reordination is forbidden unless the first ordination was void; if this decree is disregarded, both the ordainer and the ordained should be deposed (c. 68 Ap).

REPENTANCE: True repentance—through evidence of their conversion by deeds and not pretense, with fear and tears and perseverance and good works—and fulfillment of all stages of penance leads to the remission of penance (c. 12 I; c. 2 Ancyra). True repentance is a necessary condition for those who wants to be admitted again to the communion (c. 2 Laodicea). See also RECONCILIATION.

RESCRIPT: A bishop is not allowed to obtain an imperial rescript in order to divide a province in two (c. 12 IV).

RESIDENCE: No one should be allowed to leave his chief cathedral and go to another church built in the diocese or to neglect the care and frequent attendance upon his own cathedral by reason of too great a care for his own affairs (c. 71 Carthage).

If a cleric leaves his own parish, changes residence to another city, and does not respond to the summons of his bishop, let him not offer the sacrifice—that is, he is not permitted to perform liturgical or sacramental ministry. But if he persists in his insolence, let him be deposed with no hope of restoration (i.e., be defrocked; c. 3 Antioch).

The precedence in honor of the city of Constantinople granted by the Council of Chalcedon was judged to have been rightly conceded by "the One Hundred and Fifty Bishops beloved-of-God," because this city is a seat of government and an imperial residence (c. 28 IV).

RESIGNATION: As a rule, a bishop may not resign (c. 3 Cyril of Alexandria). A bishop may be replaced when he resigns or is deposed (c. 16 Constantinople I–II). In more recent times, resignation is offered or demanded as an alternative to deposition. See also LAICIZATION.

RESPECT: No woman may sleep in a monastery of men, nor any man in a convent of women, for the faithful should respect the monastery and give no occasion for scandal; anyone who does that, whether clergy or layperson, should be cut off (i.e., excommunicated; c. 47 VI).

RESPECT (FOR THE AUTHORITIES): The person who insults the king or a ruler (i.e., civil authorities) contrary to what is right should suffer punishment; if he is a clergyman, he should be deposed, and if he is a layman, he should be excommunicated (c. 84 Ap).

"Be ye subject to all royal power and dominion in things which are pleasing to God, as to the minsters of God, and the punishers of ungodly. Render all the fear that is due to them, all offerings, all customs, all honor, gifts, and taxes. For this is God's command, that you owe nothing to anyone but the pledge of love, which God has commanded by Christ" (AC 4.13).

RESTING: Christians must not Judaize by resting on the Sabbath (Saturday) but work on that day, honoring rather the Lord's Day (Sunday); if any shall be found to be Judaizers, let them be anathema from Christ (c. 29 Laodicea).

RESTORATION: Clergymen who were deposed (i.e., suspended) for a period of time may be reintegrated at the completion of the term. Further, clergymen accused and found innocent are restored to their previous dignity.

A bishop who is unjustly removed from his see is to be restored (c. 29 IV). A bishop may not be restored if, after the sentence, he meddles with his former ministry (c. 4 Antioch). A bishop may not be restored if he appeals to the emperor (i.e., civil authorities) instead of to a synod against a sentence of deposition (c. 12 Antioch).

A clergyman deposed by the synod who dares to perform sacraments and services may not appeal to any synod in his defense or for his restoration (c. 4 Antioch).

A clergyman who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop

with regard to religion or justice, should be deposed with no further remedy—that is, no right to appeal to the provincial synod and no chance of restoration (c. 5 Antioch).

A bishop may not restore a priest or a deacon who has been properly suspended (excommunicated) by another bishop unless the latter dies (c. 32 Ap; c. 5 I).

People who are excommunicated by their bishop may not be restored by any other bishop (c. 5 I). People excommunicated may not be received until restored by their own bishop or by a synod (c. 6 Antioch).

A layperson who has been excommunicated may be restored to the degree from which he fell, but a clergyman who has been deposed may not (c. 3 Basil the Great). A deposed clergyman may not be restored by Nestorius or by his followers (c. 5 III).

Those who have been steadfast throughout the persecutions and are unjustly punished as if they had lapsed are to be restored to all their former rights (c. 3 Ancyra). For the regulations as to the restoration of the lapsed, see LAPSED.

Priests, deacons, and minor clergy who leave their own parishes should be submitted to any constraint in order to restore them to their own parishes; if they refuse to go, they should be excommunicated (c. 16 I).

Virgins who have been betrothed and afterward carried off by others should be restored to those to whom they were betrothed,[260] even though they may have suffered violence from the ravisher (c. 11 Ancyra).

RETIREMENT: In the early Church, the clergy lived exclusively by means of the offerings of the laypeople. Later, donations and endowment contributed to the building of churches and monasteries and also paid for the maintenance of clergy and monastics. There was no retirement for the priests, as a priest is a "priest forever according to the order of Melchizedek" (Ps. 110:4). Clergy unable to perform the priestly functions because of old age or disability were supported by the general income of the vicariate or diocese. Hierarchs were required to provide for them (c. 41; 59 Ap; c. 25 Antioch).

260. The man to whom the virgin was betrothed was at liberty to take her back or not (Commentary to the canon in NPNF 2.14: 68); the ravisher will receive his due punishment. See also RAPE and RAVISHER.

The word *pension* was widely used in the early Church with the meaning of "revenue," "income," "support," and not necessarily with respect to old age or incapacity; one example is the case of Domnus, Archbishop of Antioch, who was deposed and in whose place another archbishop, Maximus, was elected. This was the same Archbishop Maximus who requested at the Fourth Ecumenical Council (Chalcedon, 451) that a part of the revenue of the Church be given to his predecessor, Domnus.[261]

"And since the whole holy synod taught that uncanonically they had performed these ordinations, and had agreed with the speeches of the most reverend bishops; the most reverend Bassianus and the most reverend Stephen will be removed from the holy church of Ephesus; but they shall enjoy the episcopal dignity, and from the revenues of the before-mentioned most holy church, for their nourishment and consolation, they shall receive each year two hundred gold pieces; and another bishop shall be ordained according to the canons for the most holy Church" (Decree with regard to the bishop of Ephesus, Session 12, Fourth Ecumenical Council, NPNF 2.14: 266).

ROBBERY: See THEFT.

ROME: The Bishop of Rome is to have his ancient and customary jurisdiction (c. 6 I). The Bishop of Constantinople shall have the prerogative of honor after the Bishop of Rome, because Constantinople is the New Rome (c. 3 II; c. 28 IV).

The precedence of Rome was declared by the Council of Chalcedon and was rightly conceded by the 150 Bishops gathered in Constantinople, because Rome was the capital of the empire (c. 28 IV).

Renewing the decrees of the 150 Fathers assembled in the God-protected and imperial city of Constantinople and those of the 630 who met in Chalcedon, the Sixth Ecumenical Council decreed that the see of Constantinople should have privileges equal to those of the see of Old Rome (c. 36 VI).

The synod decreed that the clergymen and the laity belonging to the Church of the West working in Asia or Europe or Lydia, and being punished by John, Pope of Rome, should be equally sanctioned by Photios, Patriarch of Constantinople (c. 1 Constantinople [Holy

261. Abbé André, *Cours alphabetique et methodique de droit canon*, vol. 1 (Paris: Ateliers Catholique du Petit-Mountrouge, 1844), 815–816.

Wisdom]). This was done to maintain the unity of faith between the East and the West and also in order to preserve their privileges.

SABBATH: Communicants are not allowed to fast on any Sabbath except Holy Saturday; if a clergyman does so, he shall be deposed; if a layman, he shall be excommunicated (c. 66 Ap).

Christians who honor the Sabbath by resting rather than working on that day and do not honor the Lord's Day, resting as Christians, are found to be Judaizers and should be pronounced anathema from Christ (c. 29 Laodicea).

During Great Lent, oblation may be done only on Sundays or Saturdays (c. 49 Laodicea).

During Great Lent, commemoration of the martyrs is to be done only on Sabbaths and Sundays (c. 51 Laodicea).

The Gospels and other Scriptures are to be read on the Sabbath (c. 16 Laodicea).[262]

A clergyman found fasting on the Lord's day or on the Sabbath (except Holy Saturday), should be deposed; laypeople who so the same should be excommunicated (c. 66 Ap; c. 55 VI). For the same, c. 18 Gangra canonizes with anathema.

Certain people in the regions of Armenia and in other places eat eggs and cheese on Saturdays and Lord's days of Great Lent. The whole Church of God should follow one rule and keep the fast perfectly by abstaining from eggs and cheese, as they are the fruit and produce of those killed animals from which the faithful abstain. Clerics who do not observe this law should be deposed; laypeople should be cut off (i.e., excommunicated; c. 56 VI).

The fast of Holy Week should be continued until after midnight Saturday, after the Resurrection, as the Evangelists Matthew and Luke have shown that the Resurrection took place "after the Sabbath" (Matt. 28:1) or "at early dawn" (Luke 24:1; c. 89 VI).

262. Balsamon mentioned that before the arrangement of the ecclesiastical Psalmody was settled, neither the Gospels nor other Scriptures were read on the Sabbath. Because the canons forbade fasting and kneeling on the Sabbath, the people took it as a time of exceeding feasting; then the Fathers decreed that on the Sabbath the whole ecclesiastical office should be said in order to curb the feasting as much as possible. Milash followed the argument of Balsamon, but did not mention the excessive feasting but rather the need to hold services on Saturdays (Milash, *Canons*, 2.1: 95). Hefele added that in the early Church, Saturday was celebrated as the feast of creation, on which occasion some churches kept the Jewish custom of reading only from the Old Testament, thus excluding readings from the Gospels. (See Hefele, *Histoire*, 1.2:1008-1009).

Because some Jews converted to the religion of Christ in order to deny him and in private secretly keep the Sabbath and observe other Jewish customs, such people should not be received to communion, to prayers, or into the Church (c. 8 VII).

Christians fast on the fourth day (Wednesday) of the week, as Judas betrayed Christ on that day for money, and on the day of Preparation (Friday), because on that day the Lord suffered the death of the cross under Pontius Pilate. But keep the Sabbath and the Lord's day as festivals (AC 7.23).

Let slaves work five days, but on the Sabbath and the Lord's day let them have leisure to go to church for instruction in piety (AC 8.33).

SABBATIANS: Sabbatius was a presbyter who adopted the teaching of Novatianus, who himself belonged to the Cathari movement. Sabbatians are to be admitted to the catholic Church by chrism after the renunciation of all heresies (c. 7 II).

SABELLIANS: The Sabellians were followers of Noetus and Praxeas, who in the latter part of the second century regarded the Son and the Holy Spirit as aspects, modes of, or emanations from the one Person of the Father. The heresy of the Sabellians is anathematized (c. 1 II). Sabellians who desire reconciliation to the catholic Church are to be received as heathen, through baptism (c. 7 II).

SACERDOTAL LIST: See LIST.

SACRAMENTS (MYSTERIES): Those entitled to perform sacraments are the bishops and the canonically ordained priests (c. 1, 2, 9, 39 Ap; c. 20 I; c. 28, 32, 33 VI; c. 6, 10, 14 VII).

As a general rule, atheists, agnostics, the excommunicated, and heretics may not participate in the holy sacraments—that is, the holy mysteries (c. 10, 11, 45, 64; 70 Ap; c. 32, 33 Laodicea).

A deposed clergyman who dares to perform sacraments, liturgical services, or any ministerial function should be cut off completely from the Church (i.e., major excommunication; c. 28 Ap; c. 29 Carthage). A clergyman deposed by the synod who dares to perform sacraments and services may not appeal to any synod in his defense or for restoration to previous dignity (c. 4 Antioch). Further, those knowledgeable of the deposition who dare to communicate with him should be cast out of the Church (c. 4 Antioch).

The sacrament of marriage is instituted by God (c. 51 Ap (c. 21 Gangra).

In the Orthodox Church the sacrament of chrismation is performed independently of the sacrament of baptism for candidates whose baptism is recognized as valid but incomplete. The incompleteness is a consequence of their distance from the teachings of the Orthodox Church and consequently missing the gifts of the Holy Spirit. By renouncing the wrong teachings, heresies, and being anointed with holy myrrh, candidates become (some of them again) members of the Orthodox Church (c. 7 II; c. 95 VI; c. 7 Laodicea; c. 57 Carthage).

For Holy Communion "nothing else shall be offered than that which the Lord ordained, that is to say, bread and wine mixed with water"; firstfruits, such as grapes and corn or honey and milk, should be received but they should be blessed with their own benediction, separately from the sacraments of the Lord (c. 37 Carthage).

Deacons who made known to the bishop their intention to marry may receive the sacrament of marriage after ordination (c. 10 Ancyra). This canon was abrogated by c. 6 VI, which bans marriage after ordination for subdeacons, deacons, and priests.

The Eucharist and baptism may be celebrated outside the church building only with the approval of the bishop; a clergyman who celebrates them outside the church without the bishop's approval should be deposed (c. 31 VI). Baptism should be performed in the church; the clergy performing this sacrament outside the church without the approval of the bishop should be deposed (c. 31; 59 VI; c. 12 Constantinople I–II).

A priest is not allowed to divulge to anyone the sins heard at the sacrament of holy confession (c. 34 Basil the Great; c. 28 Nicephorus the Confessor; c. 132 Carthage).

No sacraments may be performed without the *epitrachelion*. If an emergency arises in which a sacrament must be performed immediately and the priest does not have an *epitrachelion* with him or he cannot find one, he may use a belt, a rope, or a piece of cloth in the shape of an *epitrachelion*. After the sacrament, that artifact (belt, rope, or cloth) needs to be preserved and treated as a blessed object; it may be disposed of by burning it on a clean brick (Symeon of Thessalonika, IX.17).

SACRIFICE: The word *sacrifice* is used in the canons of the Holy Apostles with the meaning "oblation." The concept of sacrifice is the bridge between the priesthood of the Old Testament and that of the New Testament. The word *sacrifice* appears in c. 3 and 46 Ap. See also OBLATION.

SACRILEGE: See *HIEROSYLIA* (SACRILEGE).

SAINTS' DAY: Saints' days, or feast days, are the days on which the saints and martyrs who died for Christ and the Church are commemorated. For them the day of death is also a day of birth into a new life, eternal life.

Those who condemn and abhor the assemblies in honor of the martyrs or the services performed there and the commemoration of them shall be anathema (c. 20 Gangra).

SANCTIONED: A bishop has the right to judge the clergy of his diocese (c. 32 Ap; c. 62 Carthage); those sanctioned by the bishop and unhappy with the outcome may appeal to the metropolitan or to the synod (c. 5 I; c. 6 Antioch; c. 14 Sardica).

A clergyman who was judged and sanctioned by his bishop may appeal to the metropolitan or to the synod if he believes that he was unjustly sanctioned (c. 5 I; c. 6 Antioch; c. 14 Sardica; c. 11 Carthage; c. 4 Theophilos of Alexandria).

A clergyman or a layman sanctioned by his bishop may appeal to the provincial synod (c. 5 I; c. 6, 20 Antioch).

A clergyman sanctioned by his bishop should stay under sanction even during the appeal (c. 14 Sardica).

A clergyman accused of some impropriety may be sanctioned in his absence if he systematically refuses to come to judgment (c. 77 Carthage); the judgment will take place even if the accuser refuses to appear at the judgment (c. 100 Carthage).

A clergyman condemned by an ecclesiastical court may not be defended either by the churches over which he presided or by anyone at all (whether emperor or civil authority), under penalty of monetary fine and loss of the office; age and sex may not be used as excuses (c. 62 Carthage). See also DEPOSED.

SANCTUARY: See ALTAR, BEMA.

SCHISM/SEPARATION: Those who provoke division in the Church and do not submit to ecclesiastical authority should be corrected and

disciplined by the civil authorities (c. 5 Antioch; c. 9 Constantinople I–II).

A clergyman who separates himself from his bishop without having a serious reason to do so should be deposed; a layperson who does the same should be excommunicated. These penalties should be imposed after three admonitions (c. 31 Ap; c. 5 Antioch; c. 10 Carthage; c. 13, 14, 15 Constantinople I–II).[263] See also ADMONITION.

Monks and laypeople who cause schism are to be punished with excommunication (c. 8 IV). If a clergyman rises up against his bishop and provokes a schism, let him be anathema (c. 11 Carthage; c. 6 Gangra).

Bishops who separate themselves (through apostasy or by joining heretics) from the synod should be deposed from the priesthood and degraded from the rank (c. 1, 2 III). A metropolitan who joins the schismatic assembly at Ephesus is to be deposed and excommunicated and is to be subject to his own bishops and neighboring Orthodox metropolitans (c. 1 III).

SCHISMATICS: Schismatics are those "who on account of ecclesiastical causes and remediable questions have developed a quarrel among themselves" (c. 1 Basil the Great).

An accusation, or charge, may be raised against the bishop only by virtuous people (c. 74 Ap); a bishop may not be charged by heretics, schismatics, the anathematized, the excommunicated, immoral ones, or those who are themselves accused (c. 6 II; c. 21 IV; c. 8, 128, 129 Carthage). Again, schismatics may not bring charges or accusations against clergymen (c. 6 II).

No one should join in prayers with heretics and schismatics (c. 2 Antioch; c. 33 Laodicea).[264]

263. C. 5 Antioch also mentions that if the clergyman persists in troubling and disturbing the Church, "he should be corrected, as a seditious person, by the civil power." Clearly this canon originated in a time and place in which the Christian faith was the official state religion and there was harmony between Church and state.

264. The canons refer mainly to the prayer of blessing during the Eucharist. In the fourth century, the communities often sent blessed loaves of bread (*prosphores*) to one another as a sign of communion. The *prosphores* from the schismatics were rejected because they had been blessed by schismatic priests, whose sacramental priesthood was seen as deficient by the Orthodox; consequently, their blessing of the *prosphores* was unacceptable and the *prosphores* could not be used by the Orthodox. In this context, a reasonable interpretation of the spirit of c. 32 and 33 Laodicea may lead to the understanding that concelebration with schismatics in which Holy Communion (Eucharist) is prepared is not possible; however, participation in which general prayers are said may be possible.

Schismatics are to be admonished by the bishop before punishment (c. 31 Ap (c. 5 Antioch). Schismatics are to be anathematized (c. 6 Gangra; c. 25 Laodicea).

The baptism of the schismatics may be valid (c. 1 Basil the Great).

SCRIPTURE: Only the canonical books of the Scriptures are to be read in the Church; if anyone reads publicly in church books of impious men as if they were Holy Scripture, let him be deposed (c. 60 Ap; c. 59 Laodicea).

The Gospels and other Scriptures are to be read on the Sabbath (c. 16 Laodicea).

All the faithful who come in and hear the Scriptures but do not stay for the prayers and Holy Communion are to be excommunicated, as causing disorder in the Church; they may be received back if they make confession, bring fruits of penance, and obtain forgiveness (c. 9 Ap; c. 2 Antioch).

"As the heretics are quoting apocryphal writings, an evil which was rife even as early as when St. Luke wrote his gospel, therefore I thought good to set forth clearly what books have been received by us through tradition as belonging to the Canon, and which we believe to be divine." St. Athanasios enumerated them (Old and New Testament) and then added, "Let none of the Apocrypha of the heretics be read among you" (c. 3 Athanasios the Great).[265]

SEAL: Chrism, or holy myrrh, is declared to be the seal of the gift of the Holy Spirit (c. 7 II). Anointing with holy myrrh is like the seal of a king, which no one dares to touch and which the wicked spirits stay away from; that is why at each place of the anointing the faithful say, "The seal of the gift of the Holy Spirit!" (EL 225).

SECOND BAPTISM: See BAPTISM.

SECOND ORDINATION: See ORDINATION.

SECOND MARRIAGE: See MARRIAGE (SECOND).

SECRET OF CONFESSION: See CONFESSION, SECRET OF.

265. . In some canonical collections, this statement from an epistle of Athanasios (taken from the 39th Festal Epistle) appears as canon 3. The full text of the statement can be found in NPNF 2.14:603.

SECULAR AFFAIRS: See BUSINESS.

SECULAR COURTS: See COURTS; ECCLESIASTICAL COURT.

SECULAR OFFICE: Clergymen and monks are not allowed to accept secular office (military charge or secular dignity); if they do so and do not repent and return to what they had first chosen for the love of God, they shall be anathematized (c. 7 IV). Again, monks are not allowed to engage in secular business, with the exception of the guardianship of minors, which is required by law (c. 3, 4 IV).

SECULAR POWER: If any bishop obtains possession of a church [i.e. parish or diocese] through the aid of secular powers, let him be deposed and excommunicated, along with all who communicate with him (c. 30 Ap).

A bishop is not allowed to insult the emperor or a magistrate (i.e., civil authority); if he does so, let him be deposed (c. 84 Ap).

Charges against a bishop should not be brought before the civil authorities (c. 6 II).

A bishop is not allowed to divide the province in two with the help of an imperial rescript—that is, through civil authorities—thus creating a new metropolis; a bishop who attempts to do so shall be degraded (c. 12 IV).

A clergyman who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop with regard to religion or justice, should be deposed. And if he persists in troubling and disturbing the Church, let him be corrected, as a seditious person, by the civil power (c. 5 Antioch).

If a bishop appeals to the emperor (i.e., civil authority) against a sentence of deposition, he may not be restored, nor may his cause be heard again by a synod (c. 12 Antioch).

SECULAR USE: Monasteries that have been consecrated with the consent of the bishop and the property belonging to them should remain monasteries forever; they may not be used as secular dwellings. And those who permit that to be done shall be subject to ecclesiastical penalties (c. 24 IV).

No one should convert to private use vessels of gold or silver, or any veils that have been sanctified; if anyone is detected doing so, let him be excommunicated (c. 73 Ap).

SEDITION: A bishop who has not been received by his parish (i.e., diocese) and who invades other parishes, stirring up seditions against them (i.e. other dioceses), should be suspended from office and excommunicated. If he is willing to accept a seat in the presbyterate, let him be not deprived of this honor. But if as presbyter he acts seditiously against the bishop, the honor of the presbyterate should be taken from him, and he should be expelled (c. 18 Ancyra).

A clergyman who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop with regard to religion or justice, should be deposed. And if he persists in troubling and disturbing the Church, let him be corrected, as a seditious person, by the civil authorities (c. 5 Antioch).

SEDUCER: The seducer of a virgin who is not betrothed should be excommunicated, and he must marry her even if she is poor (c. 67 Ap). If the virgin is betrothed, he must restore her to the man to whom she is betrothed,[266] even though she may have had suffered violence from the seducer (c. 11 Ancyra).

One who had betrothed a maiden corrupted her sister, who eventually conceived. After that he married his betrothed, but the corrupted sister hanged herself. The parties of this affair were ordered to be received among the costanders for ten years according to the prescribed degrees (c. 25 Ancyra).

A clergyman who seduces a woman under the pretense of marriage is punishable by deposition. For the same crime, a layman is punished with anathema. The same penalty applies to aiders and abettors (c. 27 IV). See also RAVISHER.

SEE: A bishop who obtains his see with the help of secular powers should be deposed and excommunicated (c. 30 Ap).

A bishop who refuses to occupy the see for which he was ordained should be excommunicated (c. 36 Ap; c. 17 Antioch).[267]

A bishop may not bequest his see to a relative; if the relative was ordained, his ordination is declared void, and the ordainer will be punished with excommunication (c. 76 Ap; c. 23 Antioch).

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266. This canon should be interpreted always in conjunction with c. 67 Ap and c. 98 VI, canons which leave the option to the betrothed man to take his fiancee back or not. Surely the seducer/ravisher would receive his due punishment.

267. A famous example of this is St. Gregory of Nazianzus, who lost the throne of Constantinople because he refused to go to Sasima, the see for which he had been ordained.

A bishop without a see, unless elected by a full synod, may not occupy a vacant see—even by unanimous vote of the people (c. 16 Antioch).

No bishop is to pass from a smaller to a greater city. If anyone moves from a humble to a more important see, he shall be excommunicated for his whole life as proud and grasping (c. 1 Sardica).

A vacant see is described as "widowed" and is to be filled within three months of becoming vacant, during which time the revenue is to be accumulated by the *economos* (or steward) of the church (c. 25 IV).

A bishop must appoint an *economos* (steward) of his see, so the goods of the church may not be squandered nor reproach be brought upon priesthood; if the bishop does not do this, he shall be subject to the divine canons (c. 26 IV).

A bishop who has been unjustly removed from his see is to be restored (c. 29 IV).

If priests sold some property of the church when there was not a bishop in the see, the church should reclaim the lost property; at the discretion of the bishop, the recovery may be in kind, the purchase price, or the revenue of the things sold (c. 15 Ancyra).

Provincial sees are to retain their ancient and customary prerogatives (c. 6 I).

If a clergyman has a dispute with the metropolitan, let him apply to either the exarch of the diocese or the see of Constantinople (c. 9 IV).[268]

Rural or country parishes in any province should remain under the authority of the local bishop, especially if they were held and managed for thirty years or more without any dispute concerning his authority. If disputes arise, those claiming that they have been unjustly treated by the local bishop shall be permitted to complain to the synod of the province. Conversely, if a dispute arises with the metropolitan, let the claimants complain to the exarch of the province or before the see [throne] of Constantinople (c. 17 IV).

A bishop appointed to fill a vacancy—that is, an intercessor—should ensure that a bishop is elected for that diocese within an interval of one year. If he tries to retain the see or delays the election,

268. This means that the clergyman should be judged not by the exarch or the emperor but rather by the synod of the eparchy or of the Patriarchate of Constantinople.

at the end of that year he should be replaced by another intercessor (c. 74 Carthage).

Renewing the decrees of the 150 Fathers assembled in the God-protected and imperial city of Constantinople and those of the 630 who met in Chalcedon, the Sixth Ecumenical Council decreed that the see of Constantinople should have privileges equal to those of the see of Old Rome (c. 36 VI).

One elected as bishop, if married, should separate from his wife; after his ordination, she should enter a monastery far from the see city. The bishop should provide for her livelihood (c. 48 VI).

SELF-CASTRATION: See CASTRATION.

SEMI-ARIANS: The semi-Arians attempted to steer a course between calling the Son consubstantial and calling him a creature. Their position eventually was assumed by Macedonius, who became Bishop of Constantinople. The heresy of the semi-Arians is anathematized (c. 1 II).

SENSUAL SIN: See SIN.

SENTENCE: A synod may pass a sentence on a bishop in his absence, if after being summoned three times he refuses to attend (c. 74 Ap).

A bishop may not be restored if, after the sentence, he meddles with his former ministry (c. 4 Antioch).

A sentence passed on a clergyman by the bishop or the provincial synod may be appealed to a greater synod of bishops but is not to trouble the ears of the emperor (i.e., civil authority; c. 12 Antioch).

The bishops of one province may take part in the trial of a bishop of a neighboring province if the bishops of that neighboring province cannot agree on the sentence (c. 14 Antioch).

A bishop deposed through the unanimous sentence of the provincial synod may not make any further defense (c. 15 Antioch).

A layman has the right of appeal to the provincial synod against a sentence of his bishop (c. 6, 20 Antioch).

If all the bishops of a province agree with regard to a bishop already sentenced, a new trial shall not be granted to him; the sentence is definitive and allows no right to appeal (c. 15 Antioch).

A bishop's sentence of excommunication may be appealed before the provincial synod (c. 5 I; c. 6, 12 Antioch).

Judges of whom it can be proved that they "had given sentence moved by hatred or some other mental bias, or that they have been in some way corrupted" should be sanctioned (c. 15 Carthage).

A clergyman condemned by an ecclesiastical court may not be defended either by the churches over which he presided or by anyone at all (including the emperor or other civil authority), under penalty of monetary fine and loss of the office; age and sex may not be used as excuses. After the appeals have been exhausted, the sentence is definitive (c. 62 Carthage).

A clergyman may be judged and sentenced *in absentia* if he does not appear to the court after three summonses (c. 74 Ap; c. 77 Carthage).

A sentence pronounced by a canonical ecclesiastical court is valid for the entire Orthodox Church (c. 12, 32 Ap; c. 13 Sardica; c. 9, 105 Carthage). See also PENALTIES.

SERMON (HOMILY): Those who preside over the churches should teach the clergy and the people, especially on the Lord's Day, the doctrine of the Church. Their teachings should be based on the Scriptures and Tradition (c. 19 VI).

After the sermon of the bishop, prayers for the catechumens and penitents are to be read, then three prayers for the faithful, then the kiss of peace, then the Eucharist (c. 19 Laodicea).[269]

A bishop who enters another eparchy and gives sermons there without the approval of the competent bishop should be cut off from the Church (c. 20 IV; c. 3, 11 Sardica). It is not lawful for a bishop to teach publicly in any city that does not belong to him. If any does this, let him cease from episcopate, but let him be demoted to the office of presbyter (c. 20 VI).

A layperson may not dispute or teach publicly in the Church without the approval of the presiding clergyman, as not all are prophets, nor all apostles; if he does so, let him be excommunicated for forty days (c. 64 VI).

Women are not permitted to speak at the time of the Divine Liturgy; "but if they wish to learn anything let them ask their own husbands at home" (1 Cor. 14:34; c. 70 VI).

269. From the descriptions of parts of the Divine Liturgy in this canon, one may infer that the place of the sermon is immediately following the Gospel reading of the day.

"Eschew the atheistical heretics, who are past repentance, and separate them from the faithful, and excommunicate them from the Church of God, and charge the faithful to abstain entirely from them, and not to partake with them either in sermons or prayers: for these are those that are enemies to the Church and lay snares for it; who corrupt the flock and defile the heritage of Christ, pretenders only to wisdom, and the vilest of men" (AC 7.18).

SERVICE: If under the pretext of piety, anyone shall teach a slave to despise his master and to run away from his service and not to serve his own master with goodwill and honor, let him be anathema (c. 3 Gangra).

SERVICE, DIVINE: See DIVINE SERVICES.

SERVICE, MILITARY: See MILITARY SERVICE.

SIMONY: Simony is the sin of selling holy things for money. Those who commit simony bring on themselves a great sin, as grace may not be sold. St. Peter's answer to Simon Magus's attempt to buy the grace of the Holy Spirit remained in the living conscience of the Church, and the name of the perpetrator became the root of the word *simony*: "Your silver perish with you, because you thought you could obtain the gift of God with money!"

If any bishop, presbyter, or deacon obtains possession of that dignity by money, let both him and the person who ordained him be deposed and also altogether cut off from all communion (c. 29 Ap; c. 2 IV; c. 22 VI; c. 5 VII).

A bishop who ordains or assigns someone in a Church position for money should be deposed, and the one who received that rank or position will lose it. The one who arranged the ordination or assignment, if clergy, should be deposed, and if layperson, should be anathematized (c. 2 IV; c. 10 VII; c. 90 Basil the Great). See also ORDINATION.

No bishop should extort gold, silver or anything else from other bishops, clerics, or monks subject to his jurisdiction. If a hierarch prevents any of his clergymen from conducting services or has a venerable temple closed, he should be subject to *lex talionis* (c. 4 VII).[270]

270. "Wherefore he who cuts off others thus, let him be cut off" (Zonaras, commentary on c. 4 VII (See, NPNF 2.14: 558).

An abbot or abbess who receives someone into the monastic life for money should be thrown out of the monastery and sent to another one for obedience (c. 19 VII).

A clergyman who demands payment for Holy Communion should be deposed (c. 23 VI).

As our Lord without money and without price ordained his apostles, so should we ordain the clergy, for the Lord placed us in their grade and in their stead (Letter of Gennadius, Patriarch of Constantinople in NPNF 2.14: 615).

SIN: If a clergyman commits mortal sins, he should be degraded from his rank (i.e., deposed) but not excluded from the society of laypeople (i.e., excommunicated), for "you shall not exact vengeance twice for the same offense" (c. 32 Basil the Great).

Baptism washes away sin (c. 12 Ancyra).

If a catechumen falls into sin while he is a kneeler, let him become a hearer and sin no more; but if he sins while he is a hearer, he is to be cast out of the Church (c. 5 Neocaesarea).

If one was ordained as a new convert (i.e., a neophyte) or was ordained without examination, and eventually a serious sin, or crime, was discovered through the evidence of two or three witnesses, let that person cease to hold the clerical office (c. 2, 9 I; c. 9, 10 Neocaesarea).

A bishop or presbyter who does not receive one who has turned from the sin (repented) but rejects him or her should be deposed. For Christ said, "There is joy in heaven over one sinner who repents" (Luke 15:7; c. 52 Ap).

A priest who confesses that he committed carnal sin before his ordination shall abstain from oblation, but he will retain other functions (c. 9 Neocaesarea).

If a sensual sin is committed by a clergyman—that is, a bishop or a priest—and that is proved by two or three witnesses, let him cease to hold the clerical office (c. 2 I). In the same circumstances, a deacon should be demoted to subdeacon (c. 10 Neocaesarea).

Sexual sins committed with animals (*bestiality*) or with children are double sins, one of depravity and another of wounding the other (c. 4 Gregory of Nyssa).

A bishop has the authority to reduce penances (c. 4, 7 Gregory of Nyssa). See also *EPITIMIA*.

The sin confessed may not be divulged by the confessor. If the confessor divulges something that he heard in confession, and the penitent denies it, the confessor should not be given credence (c. 132 Carthage; c. 34 Basil the Great; c. 28 Nicephorus the Confessor).[271]

SINGER (CANTOR/CHANTER/*PSALTIS*): The singer or *psaltis* brings spiritual nourishment to those attending the services and offering sacrifices to God;[272] like him, any Christian is supposed to sing praises to God[273] "at all times and for everything in the name of our Lord Jesus Christ."

The singer belongs to the minor clergy and he is tonsured [*cheirothesia* or laying of the hands] from the age of 18 by the bishop, outside of the Altar area. In the service of laying of the hands the same prayers as those for the reader are used. The reader and the singer may marry and remarry after the ordination.

A singer is to fast during Great Lent and on Wednesdays and Fridays unless prevented by bodily weakness; if he fails to fast, let him be excommunicated (c. 69 Ap).

A singer who is given to dice or drunkenness must either give up the habit or be excommunicated (c. 43 Ap).

No others shall sing in the Church except the canonical singers, who go up into the ambo and sing from a book (c. 15 Laodicea).

A singer is not allowed to don an orarium when he sings (c. 23 Laodicea).

A singer is not allowed to enter a tavern (c. 24 Laodicea).

No psalms of private origin or books uncanonical are to be sung in the church (c. 59 Laodicea).

In certain provinces the singers were permitted to marry—a singer may marry after ordination (c. 26 Ap)—but it was not lawful for them to marry a wife who was heterodox. Those already married to heterodox and who have children from such a marriage should

271. It seems that the second part of the canon absolves the confessor of guilty conscience when the penitent denies his or her sin and leaves the situation as it is, because the truth should be confirmed by two or three witnesses. An interesting situation arises when the penitent confirms the sin: Is the confessor released from the obligation of keeping the secret of confession?

272. "Let us continually offer sacrifice of praise to God, that is, the fruit of lips that confess his name." (Heb. 13:14)

273. As you sing psalms and hymns and spiritual songs among yourselves, singing and making melody to the Lord." (Eph. 519)

not allow the children to be baptized among the heretics; if they are already baptized, they must bring the children into communion with the catholic Church (c. 14 IV).

Those who have advanced to orders may not enter marriage, with exception of the readers and singers; if they dare to do so, they should be deposed. If any of those who enter clergy wishes to be joined to a wife in lawful marriage before he is ordained subdeacon, deacon, or presbyter, let it be done (c. 6 VI).

Singers are not to use "undisciplined vociferations, nor force nature to shouting, nor adopt any of those modes which are incongruous and unsuitable for the Church" (c. 75 VI).

Whoever adds to the Trisagion hymn these words, "Who was crucified for us, have mercy on us," should be deprived of his priestly dignity; but if he be a layman or monk, let him be cut off (c. 81 VI).

In the order of partaking of Holy Communion, "let the bishop partake, then the presbyters, and deacons, and subdeacons, and the readers, and the singers and the ascetics; and then of the women, the deaconesses, and the virgins, and the widows; then the children; and then all the people in order, with reverence and godly fear, without tumult. . . . And let the thirty-third Psalm be said, while the rest are partaking; and when all, both men and women, have partaken, let the deacons carry what remains into the vestry" (AC 8.13).

"It is not lawful for a subdeacon to separate [command, order] either one of the clergy or laity; nor for a reader, nor for a singer, nor for a deaconess, for they are ministers to the deacons" (AC 8.28)

Being sanctified through tonsure, the reader or the *psaltis* is required to read from the Epistle Book [Apostolos] or chant from the Psalter, after which the bishop could give them "peace" and pray for them (Symeon of Thessalonika, VI.159).

SISTER: The sister of a clergyman may reside with him (c. 3 I), but women who are professed virgins are not allowed to reside with men, even if they are brothers in faith or monks (c. 19 Ancyra).

One who through seduction has corrupted the sister of his betrothed is to be penanced with ten years before being received among the costanders (c. 25 Ancyra).

A man ought not to marry successively two sisters, nor a woman two brothers (c. 23, 78, 87 Basil the Great; c. 11 Timothy of Alexandria). He who has married two sisters or a niece may not become a clergyman (c. 19 Ap; c. 5 Theophilos of Alexandria). A father and

a son may not marry two sisters (impediment to marriage, third degree). Two brothers may not marry two sisters (impediment to marriage, fourth degree) (c. 54 VI).

One who fornicates with a sister receives twenty years of excommunication (c. 67 Basil the Great). For the same sin, John the Faster canonized with fifteen years of excommunication (c. 24 John the Faster).

SISTER-IN-LAW: A man who marries his sister-in-law may not be ordained (c. 19 Ap).

A woman who marries her husband's brother may be admitted to communion only at the time of death (c. 2 Neocaesarea).

Whoever fornicates with a sister-in-law is penanced with twenty years according to the degrees (c. 76 Basil the Great).

As a man may not marry his sister; in the same way, he may not marry his wife's relatives, such as his mother-in-law, his granddaughter, or his sister-in-law (c. 87 Basil the Great). Fornication with a sister-in-law is sanctioned with eleven years of excommunication (c. 60, 63, 58 John the Faster). Fornication with one's brother-in-law or sister-in-law is a serious sin; whoever fornicates with his sister-in-law should be excommunicated eleven years (EL 526).

SLANDER: People who bring slanderous accusations against a bishop are to suffer the penalty to which he would have been liable had the accusations been proved (c. 6 II).

Abhorrence of meat or wine is a blasphemous slander of God's work and, if not corrected, is punishable with deposition and casting out of the Church (c. 51 Ap).

Clergymen should be no slanderers, drunkards, or ready to pick a fight (c. 89 Basil the Great).

SLAVE: A man who marries a slave may not be ordained (c. 18 Ap).[274]

A slave may not be ordained unless manumitted by his master (c. 82 Ap).

People who under the pretense of piety attempt to withdraw slaves from the service of their masters should be anathematized (c. 3 Gangra).

If a slave is castrated by his master, he is not disqualified from ordination (c. 1 I).

274. The reason is not the low status of the slave but her lack of free will. A slave belongs to his or her master and thus lacks free will.

A slave may not be received as a monk without his master's consent (c. 4 IV).

Clergy can be any worthy men with no bearing on the priestly line (as in Armenia); the Armenian practice was condemned, as the Christian Church did not observe a difference between Jews and Greeks nor one between slaves and masters (c. 33 VI).

Let slaves work five days, but on the Sabbath day and the Lord's day let them have leisure to go to church for instruction in piety (AC 8.33).

SLEEP: It is not permitted to hold love feasts, to eat, or to spread couches in the house of God (c. 28 Laodicea).

No woman may sleep in a monastery of men, nor any man in a convent of women, for the faithful should respect the monastery and give no occasion for scandal; but if anyone does that, whether clergyman or layman, let him be cut off (i.e., excommunicated; c. 47 VI). Again, a monk is not allowed to sleep in a convent, and a nun is not allowed to sleep in a monastery (c. 20 VII).

A Christian who while sleeping had an involuntary seminal emission should be canonized with one day of excommunication, the recitation of Psalm 50 and doing forty-nine prostrations (c. 8 John the Faster).

A woman who accidentally sleeps on her baby and chokes it should be penanced with three years of excommunication; but if the baby died because of laziness or inattention, the parents should be penanced as for voluntary murder (c. 35 John the Faster).

SODOMY: In the understanding of the Church, sodomy is a sin against nature, a sin caused by intercourse between two men or two women, or even intercourse between a man and a woman that departs from what God prescribed.[275] In Byzantine times civil law required that sodomites be burned alive (*Theodosian Code*, Book IX, Title 17).

Those who have committed sodomy with men or brutes and who repent should be canonized for thirty years (c. 7 Basil the Great).

He who abuses himself with a man shall do the penance of adulterers (c. 62 Basil the Great).

275. In the early Church's understanding, oral and anal sex, sex with multiple partners at the same time, and sex with animals (bestiality) constitute sodomy.

He who abuses himself with beasts, if he voluntarily confesses, should be penanced as an adulterer, with fifteen years of excommunication (c. 63 Basil the Great).

C. 4 Gregory of Nyssa excludes from communion a man who has had intercourse with another man; c. 62 Basil the Great penances the same with fifteen years of excommunication, but St. John the Faster prescribed that such a one should be excluded for three years if he cries and fasts and if he eats dry food after the ninth hour and does two hundred prostrations daily (c. 29 John the Faster).

A man who copulates with another man (*arsenocoetia*) should be excluded from Communion for three years, weeping and fasting, eating dry food, and doing two hundred metanoias. But as for one who prefers to relax, let him fulfill the fifteen years as Basil said in his canon 62 (c. 18 John the Faster; (*akriveia* and *economia*).

If someone commits sodomy with two brothers, he should be canonized with four years of excommunication if he eats dry food after the ninth hour and does three hundred prostrations daily (c. 51 John the Faster). If someone commits sodomy with his son-in-law, he should be canonized with four years of excommunication if he eats dry food after the ninth hour and does two hundred prostrations daily (c. 52 John the Faster). If someone commits sodomy with his brother, he should be canonized with eight years of excommunication if he eats dry food after the ninth hour and does four hundred prostrations daily (c. 53 John the Faster). If someone commits sodomy with his wife, he should be canonized with eight years of excommunication if he eats dry food after the ninth hour and does two hundred prostrations daily (c. 54 John the Faster).

One who commits sodomy with his wife may not become a clergyman, and he should separate from his wife and be excommunicated for fifteen years (EL 480).

SONS: A bishop is not allowed to ordain his own sons to the episcopate, giving the things of God to human affections; if someone does that, let the ordination be void and the ordainer excommunicated (c. 76 Ap).

A bishop is not allowed to employ his own sons in the management of church funds; if he does so, he should be investigated by the provincial synod (c. 25 Antioch).

Children of a bishop are to be provided for from his private property (c. 40 Ap).

It is not lawful for Christians to contract marriages with the heretics or to give their sons and daughters to them, but rather to take them only if they promise to become Christians (c. 31 Laodicea).

Sons and daughters of clergymen are not to be joined in marriage with heretics (c. 21 Carthage). See also CHILDREN.

SORCERER: Those who give themselves up to soothsayers or to those who through divination tell the future, destiny, genealogy, or any other things of this nature, should be canonized for six years; if they persist in these pagan customs, they should be cast out of the Church (c. 61 VI; c. 83 Basil the Great).

Those who practice divination and follow the customs of the heathen fall under the canon of five years (three years as prostrators, two of prayer without oblation; c. 24 Ancyra).

Those who profess enchantment or sorcery or who make amulets or carry on the occupation of fortune-telling should be canonized from three to six years (c. 32 John the Faster).[276]

"They who are of the priesthood, or of the clergy, shall not be magicians, enchanters, mathematicians, or astrologers; nor shall they make what are called amulets, which are chains for their souls. And those who wear such, we command to be cast out of the Church" (c. 36 Laodicea).

Those who confess conjuration or bewitching or give themselves to divination should be treated as murderers (c. 7, c. 65, c. 72 Basil the Great; c. 83 Basil the Great asks for six years' penance).

Those who run to conjurers or diviners should be treated as those who willfully lapse; if they were forced or constrained into divination, they should be treated as those who lapse through the violence of torment (c. 3 Gregory of Nyssa).

SORCERY: Sorcery or witchcraft is the hidden work of the devil. In the Old Testament, sorcerers were punished with death: "You shall not permit a female sorcerer to live" (Exod. 22:18); "a man or a woman who is a sorcerer or a wizard shall be put to death; they shall be stoned to death, their blood is upon them" (Lev. 20:27). Other scriptural foundations are in Deuteronomy 18:10, 1 Kings 2:8, and Galatians 5:20. Those who go to the sorcerers deny God, or if they make the calculation that they can drink from both God's cup and

276. This canon is listed as c. 32 in *Rudder* but as c. 27 in Floca and Milash.

devil's cup, they are completely wrong (1 Cor. 10:20–21; 2 Cor. 6:14–18).

Those who give themselves to the soothsayers in order that they may learn things they wish to be revealed to them should be canonized with six years. The same *epitimia* applies to those who give themselves to practices, superstitions, or any other things which deceive the common folks—such as bear walking and dancing, fortune-telling, genealogy, expelling of clouds, enchanting, and giving amulets (c. 61 VI).

Leaping over fires lit on nights with a full moon should cease as a foolish superstition; a cleric who does such a thing should be deposed, but a layperson should be excommunicated (c. 65 VI).

The error of believing in idols is still flourishing in some remote parts of Africa, and that is why the most religious emperors should be asked to order the destruction of remaining idols (c. 58 Carthage).

One who confesses that he has engaged in sorcery or bewitching shall do the same penance as a murderer (twenty years of excommunication), taking into account whether he willingly did it or was enticed by someone, or participated out of curiosity (e.g., *economia*; c. 65 Basil the Great).

One who gives him or herself to divination shall be treated as a murderer (c. 72 Basil the Great).

Those who follow heathenish customs or bring people in their houses for bewitching are to be canonized with six years—as mourners for one year, hearers for one year, prostrators for three years, and costanders for one year (c. 83 Basil the Great).

Those given to sorcery or bewitching may have their canon reduced with three years if they fast, eating dry food and doing 250 prostrations daily (c. 2 John the Faster).

The canon for sorcerers and bewitchers is the same as the one for adulterers and murderers, but the personal disposition toward repentance may reduce or extend the punishment (*economia* and *akriveia*; c. 27 John the Faster). See also CUSTOM (PAGAN); SUPERSTITION.

SPURIOUS BOOKS: See BOOKS.

STANDING: Prayers on Sundays and on the days of Pentecost are to be offered standing (c. 20 I; c. 91 Basil the Great).

Christians must pray standing from the entrance of Great Vespers of Saturday night until the evening of Sunday at the entrance for compline, so an entire day and night are spent singing in the spirit hymns to God and celebrating his Resurrection (c. 90 VI).

After baptism, "let him, therefore, who has been dead with Christ, and raised up with Him, stand up. But let him pray toward the east. For this also is written in the second book of the Chronicles, that after the temple of the Lord was finished by King Solomon, at the feast of dedication the priests, Levites, and the singers stood up toward the east, praising and thanking God (AC 7.44). See also POSTURE.

STATE: If any bishop obtains possession of a church by the aid of temporal powers (i.e., the state, the government), let him be deposed and excommunicated (c. 30 Ap).

Whoever insults the king or a ruler (i.e., civil authority), contrary to what is right, should be deposed if a clergyman and excommunicated if a layperson (c. 84 Ap).

If a city is newly erected or renewed by the imperial authority (i.e., civil authority), let the order of the ecclesiastical parishes follow the civil and public models (c. 17 IV; c. 38 VI).

The election of the bishop, priest, or deacon may not be made by a magistrate (i.e., civil authority; c. 3 VII).

Clergymen or monastics who conspire with those who oppose the civil authority or oppose other clergy or who enter secret societies should be deposed (c. 31 Ap; c. 84 Ap; c. 18 IV; c. 34 VI).

STEWARD OR *ECONOMOS*: As in many churches the bishops have managed church business without stewards, it seemed good that every Church that has a bishop should also have a steward from among its own clergy (c. 25 IV).

Each Church should have a steward so "that the administration of the Church may not be without witness" (c. 26 IV; c. 11 VII).

A steward is to take charge of the fruits offered to the Church (i.e., offerings; c. 7, 8 Gangra).

If the bishop does not name a steward, the metropolitan may name one without his approval; the same for the metropolitan: the patriarch may name a steward without the approval of the metropolitan (c. 11 VII).

An orphaned diocese, one temporarily without a bishop, should keep its revenues untouched by her steward of the see (c. 25 IV).

A steward who obtains his office through simony should be deposed (c. 2 IV).

Clergymen and monks are not allowed to act as stewards to laypeople; anyone who transgresses this decree shall be subjected to ecclesiastical penalties (c. 3 IV).

STOLE: See ORARIUM, VESTMENTS.

STRANGER: No stranger clergyman—that is, one unknown in the receiving diocese—should be received without commendatory letters. When letters are produced, let the person be examined. If the person is worthy, he should be received; if not, he should be supplied with what he needs but not received into the community (c. 33 Ap).

No stranger should be received without pacifical letters—that is, letters of peace (c. 7 Antioch). See also LETTERS.

STRANGLED: The flesh, or meat, of animals that have been strangled may not be eaten (c. 2 Gangra).

STRIKE/BLOW: Clergy who strike any member of the faithful who has sinned or strike the unbeliever who has done wrong should be deposed (c. 27 Ap; c. 9 Constantinople I–II). Again, a clergyman who strikes someone and kills him with one blow should be deposed. A layman who does the same should be excommunicated (c. 65 Ap).

One who gives a mortal wound to another is a murderer, whether he or she was the aggressor or the defender (c. 43 Basil the Great).

SUBDEACON: Normally a subdeacon is ordained by his bishop; however, a subdeacon may be ordained by a *chorepiscopos* (c. 10 Antioch).

A subdeacon is not allowed to give bread or to bless the cup (c. 25 Laodicea). Indeed, a subdeacon must not enter the *diaconicum* or touch the sacred vessels (c. 21 Laodicea). A subdeacon is not to leave the doors and engage in prayer, even for a short time (c. 22, 43 Laodicea).

A subdeacon is not allowed to wear an orarium (c. 23 Laodicea).

A subdeacon is not allowed to sit in the presence of a deacon or without his permission (c. 20 Laodicea).

A subdeacon is not allowed to enter a tavern (c. 24 Laodicea). If a subdeacon is given to dice or drunkenness, he must either give up the habit or be excommunicated (c. 43 Ap).

A deacon who before ordination committed bodily sin is to be demoted to the rank of subdeacon (c. 10 Neocaesarea).

SUBINTRODUCTA: A *subintroducta*, from the Latin *mulieres subintroductae*, was a woman not related to a (celibate) clergyman who took care of his household and lived in his house. The suspicion arose that such women might actually be concubines.[277]

No clergyman shall have a woman in his house except his mother, a sister, an aunt, or such people only as are beyond all suspicion (c. 3 I).

Let none of those who are on the priestly list possess any woman or maidservant beyond those who are enumerated in the canon as people free from suspicion; if anyone transgresses this decree, let him be deposed. And let the eunuchs also observe the same rule, that by foresight they may be free of censure (c. 5 VI).

SUBJECTION: If under pretense of asceticism a woman cuts off her hair, which God gave her as the reminder of her subjection, thus annulling subjection, let her be anathema (c. 17 Gangra).

Whoever for money admits those coming to holy orders or to monastic life, whether bishop, superior of a monastery, or any other in sacred orders, shall either cease or be deposed. And the superiors of monasteries or convents should be expelled and given to subjection. But the possessions of those who came in should remain, whether the people remain or not, provided the superior is not to blame (c. 19 VII).

277. C. 4 from the Arabic canons, attributed to the First Ecumenical Council (Nicaea, 325) is quite explicit: "We decree that bishops shall not live with women; nor shall a presbyter who is a widower; neither shall they escort them; nor be familiar with them, nor gaze upon them persistently. And the same decree is made with regard to every celibate priest, and the same concerning such deacons as have no wives. And this is to be the case whether the woman be beautiful or ugly, whether a young girl or beyond the age of puberty, whether great in birth, or an orphan taken out of charity under the pretext of bringing her up. For the devil with such arms slays the religious, bishops, presbyters, and deacons, and incites them to the fires of desire. But if she be an old woman, and of advanced age, or a sister, or mother, or aunt, or grandmother, it is permitted to live with these because such persons are free from all suspicion of scandal" (NPNF 2.14: 46).

SUCCESSION (APOSTOLIC): "Let the ancient custom in Egypt, Libya and Pentapolis prevail, that the Bishop of Alexandria have jurisdiction in all these, since the like is customary for the Bishop of Rome also" (c. 6 I).[278] Apostolic succession is interrupted by bishops who become heretics or schismatics (c. 1 Basil the Great).

SUCCESOR: A bishop is not allowed to ordain a relative of his as successor. If anyone does so, let the ordination be void; the ordainer himself should be punished with excommunication (c. 76 Ap).

It is not lawful for a bishop, even at the close of life, to appoint another as his successor; if anyone does so, the appointment shall be void. The synod, with the judgment of the bishops, has the authority to promote a worthy man to the episcopate after the falling asleep of him who has ceased from his labors (c. 23 Antioch).

SUICIDE: If one who was betrothed to a maiden then corrupted her sister, and she eventually conceived and out of shame hanged herself, he—along with those who were parties to this affair—should be penanced with ten years according to the degrees (c. 25 Ancyra).

Those who commit suicide may have a funeral conducted by a priest if they were mentally disturbed; if they were mentally competent, they may not have a funeral conducted by a priest (c. 14 Timothy of Alexandria).

Those who commit suicide of their own will should not be offered funeral and memorial services because they gave their souls to Satan, as Judas the Iscariot did. But those who commit suicide who were sick and mentally incompetent may receive funeral and memorial services (EL 1879).

SUMMONS: A summons to a bishop to appear for a trial must be served by two bishops and, if necessary, must be served three times (c. 74 Ap).

If the bishop is accused "of anything by men worthy of credit," he should be judged by the synod. If he appears and confesses, a suitable punishment must be inflicted on him. If he is summoned and does not attend, he is to be summoned a second time, and

278. In Hefele's interpretation, this sentence means that "this ancient right is assigned to the Bishop of Alexandria which places under his jurisdiction the *whole* diocese of Egypt." (See NPNF 2.14: 15).

two bishops are sent to him for this purpose.[279] If he persists in his refusal to appear to the judgment of the synod, he will be judged *in absentia* (c. 74 Ap; c. 6 II). If for any reason the synod cannot gather, that bishop should be judged by twelve bishops (c. 12, 20, 100 Carthage).

A bishop may be deposed only by the synod (c. 1 Constantinople [394]). This canon reinforces the need for a summons, hearing, and judgment of the synod, so that one or two bishops could not depose a bishop and install someone else in his place.

A priest who is deposed for leaving his parish without his bishop's consent and ignores three summonses to return should be demoted to lay status (c. 15 Ap; c. 3 Antioch).

A priest or a deacon who, despising his bishop, gathers a separate congregation and raises an altar, if summoned twice by the bishop and refuses to obey, should be deposed with no further remedy—that is, no right to defense—and no possibility of regaining his rank (c. 5 Antioch).

Bishops are not to neglect a summons to attend a provincial synod (c. 19 IV; c. 40 Laodicea).

An accused clergyman is required to defend himself before the competent ecclesiastical court in order to be judged; if he does not appear before the court after three summonses, he will be judged and sentenced *in absentia* (c. 74 Ap; c. 19 Carthage).

If any person who pleaded his case in any church according to the apostolic law (1 Cor. 6:1–5) imposed upon the Churches is not satisfied with the decision of the clergy, and he brings his cause to a civil court to be judged anew as if judgment had never been pronounced, the civil authority should not allow a clergyman who was cognizant of the cause, or was present, or is one of his relatives (who may be cognizant) to be summoned to the civil trial as a witness (c. 59 Carthage).

SUNDAY: Communicants are not allowed to fast on Sundays or Saturdays (with exception of Holy Saturday). If clergymen do so, they should be deposed; if laypeople do so, they should be excommunicated (c. 66 Ap). If anyone, under the pretense of asceticism, fasts on Sunday, let him be anathema (c. 18 Gangra).

279. Hefele, in the Latin text, allows a third summons, while the Greek text mentions only two.

Prayers on Sundays and on the days of Pentecost are to be offered standing (c. 20 I; c. 91 Basil the Great). Kneeling is not allowed on Sundays, so prayers on Sundays should be made to God standing (c. 20 I). Again, Christians keep the Lord's Day as a day of joy, because then our Lord rose. Our tradition is not to kneel on that day (c. 15 Peter of Alexandria).

A bishop has an obligation to teach his spiritual children, especially on Sundays, the Orthodox faith (c. 19 VI).

Since some in the city of Romans, during the holy fast of Great Lent, fast on Saturdays, contrary to ecclesiastical observance, the Sixth Ecumenical Council declared, "If any cleric shall be found to fast on Sunday or Saturday (except on one occasion only) he is to be deposed; and if he is a layman he shall be cut off" (c. 55 VI).

The faithful should not eat eggs and cheese (as the Armenians do) on Saturdays and Sundays of Great Lent. Those who do not observe this law should be punished, clerics with deposition and laypeople with excommunication (c. 56 VI).

If any bishop, presbyter, deacon, any enumerated on the sacerdotal list, or a layperson has no very grave necessity nor difficult business to attend, and being in town does not go to church on three consecutive Sundays, if he is a cleric, let him be deposed; if a layperson, let him be cut off (i.e., excommunicated; c. 80 VI). Again, a layperson who does not attend divine services in the city in which he or she is staying three Sundays should be deprived of communion (c. 11 Sardica).

Christians must pray standing from the entrance of Great Vespers of Saturday night until the evening of Sunday at the entrance for compline, so an entire day and night is spent singing in the spirit hymns to God and celebrating his Resurrection (c. 90 VI).

Communicants, if possible, should rest on Sundays (c. 29 Laodicea).

During Great Lent, oblation may be done only on Sundays or Saturdays (c. 49 Laodicea). Commemorations of saints and martyrs that fall during Great Lent should be transferred to Sundays and Saturdays (c. 51 Laodicea).

Husband and wife should forgo the conjugal act on Saturdays and on Sundays, for on those days the spiritual sacrifice is offered to the Lord (c. 13 Timothy of Alexandria).

Keep the Sabbath and the Lord's day festival, because the former is the memorial of the creation and the latter of the resurrection (AC 7.23). Let slaves work five days, but on the Sabbath day and the Lord's day let them have leisure to go to church for instruction in piety (AC 8.33).

On Sundays of Great Lent, Christians celebrate the Liturgy of Basil the Great . . . as for eating, we eat vegetables with oil, and also we get release to consume wine; but fish we do not eat (*Great Typikon* in EL 1574).

SUPERSTITION: A clergyman who on the new moon lights fire in front of his house and jumps over it, believing that if he is not touched by the fire his house also will not be touched by fire, should be deposed; a layperson who does the same should be excommunicated (c. 65 Ap).

An altar in the fields or in a vineyard that was set up on account of dreams and false revelations and lacks the relics of the martyrs should be torn down unless it would cause a public tumult (c. 83 Carthage).

See also CUSTOM (PAGAN); GAMBLING; SORCERER.

SUPPER, THE LORD'S: See OBLATION.

SUPPORT, OF A BISHOP: A bishop is to receive his share of offerings that are not made specifically for the altar; but he has to share those offerings with priests, deacons, and the rest of the clergy (c. 4 Ap). A bishop is to be supported from the funds of the church (c. 41 Ap; c. 25 Antioch). Likewise, when in need, a bishop should be supplied by the clergymen (c. 59 Ap).

SUPPORT, OF A PRIEST, DEACON, OR MINOR CLERGY: Priests, deacons and the minor clergy should receive their share of offerings that are not made at the altar (c. 4 Ap). The clergy support themselves from the gifts from the people, for "they who wait at the altar should be nourished of the altar" (c. 41 Ap). When in need, the clergymen should be supplied with the necessary things by other clergymen; clergymen who fail to support their fellows should be excommunicated; if they persist in this, they should be deposed (c. 59 Ap).

To meet the necessities of life in small, rural parishes, the clergy may seek support from some honest employment compatible with the priesthood (c. 15 VI).

SURGICAL OPERATION: If anyone in sickness has been subjected by physicians to a surgical operation—specifically, castration—he is not disqualified for ordination (c. 1 I).

SUSPENDED PEOPLE: A person who is suspended in one city is not to be received in another without commendatory letters (c. 12 Ap). A suspended clergyman may not be received by a bishop and allowed to perform divine offices; if the bishop does that, as a teacher of disorder, he shall be excommunicated (c. 16 Ap). A priest or a deacon suspended by his bishop might not be received in communion by any other bishop unless the bishop who excommunicated him is dead (c. 32 Ap).

SUSPENSION: The Church has full authority to investigate and to impose canonical sanctions on its clergy and laity. (See COMPETENCY). However, as members of the society in which the Church lives and acts, its members have to respect the laws of that society. When some members of the Church—and more specifically, the clergymen—are accused of breaking secular laws or are on trial, the competent hierarch may place the respective clergyman under liturgical suspension until the secular trial is completed. In this context, the term *suspension* is borrowed from secular usage, joined with an ecclesiastical adjective, *liturgical*, thus creating confusing terminology that is foreign to canon law.

It seems that *liturgical suspension* means that the accused clergyman is asked to abstain from performing liturgical and sacramental acts until an inquiry pronounces him guilty or not guilty. Other Orthodox jurisdictions use the term *leave of absence* for basically the same situation.

Temporary deposition, also commonly known as suspension, is a penalty pronounced by a bishop or synod against a clergyman who has been proved guilty of infractions. Consequently, it must meet the conditions of the ecclesiastical trial and to follow the procedures (summons, trial, appeal, etc.). If the clergyman is found not guilty, he is to be restored to his dignity. See also DEPOSITION (TEMPORARY); ECCLESIASTICAL COURT; SUMMONS; APPEAL.

A. Suspension of a bishop

The penalty of suspension is pronounced against a bishop who joins in prayer with heretics (c. 45 Ap), who communes with the excommunicated (c. 10 Ap; c. 2 Antioch), or receives

suspended or excommunicated people without commendatory letters (c. 12 Ap).

A bishop is to be suspended if he receives suspended clergymen and allows them to perform divine services (c. 16 Ap), or when a bishop receives a clergyman of another bishop; both the receiver and the received should be excommunicated (c. 20 IV).

A bishop may be suspended when, without solid reasons, he refuses to partake of Holy Communion (c. 8 Ap).

A bishop may be excommunicated if he neglects the clergy or the people and does not instruct them in godliness; if he persists in his negligence and idleness, he should be deposed (c. 58 Ap).

A bishop who does not undertake the ministry offered to him should be excommunicated until he does undertake it (c. 36 Ap; c. 18 Antioch).

A bishop who refuses to help a clergyman in need should be excommunicated; if he persists, he should be deposed (c. 49 Ap).

A bishop who takes away candles or oil from the church should be excommunicated (c. 72 Ap).

A bishop who appropriates consecrated vessels for private purposes should be excommunicated (c. 73 Ap).

A bishop who divorces his wife under pretext of piety should be excommunicated; if he persists, let him be deposed (c. 5 Ap).

A bishop who eats in a tavern, unless he is on a journey, should be excommunicated (c. 54 Ap).

A bishop who insults a priest or a deacon (c. 56 Ap) or who mocks an infirm person should be excommunicated (c. 57 Ap).

A bishop who for personal reasons ordains a relative to a bishopric should be excommunicated, and the ordination is void (c. 76 Ap).

If an excommunicated bishop is received in another city without commendatory letters by a bishop who is already excommunicated, let his excommunication be lengthened (*akriveia*; c. 13 Ap.

B. Suspension of a priest

If a priest joins in prayer with the heretics, he should be suspended (c. 45 Ap).

If a priest shares Holy Communion with the excommunicated, he too will be excommunicated (c. 10 Ap; c. 2 Antioch).

A priest should be suspended if he receives suspended or excommunicated clergymen without commendatory letters (c. 12 Ap).

A priest should be suspended if, without explanation and serious reason, he refuses to partake of Holy Communion (c. 8 Ap).

A priest should be suspended if he neglects his fellow clergymen and does not instruct them in godliness (c. 58 Ap); again, a priest who after ordination does not undertake the ministry and care of the people committed to him should be suspended (c. 36 Ap).

A priest should be suspended if he refuses to supply what is needed to a fellow clergyman in want, considered as one who has killed his brother (c. 59 Ap).

A priest is to be suspended if he leaves his parish and refuses to return when summoned by his bishop (c. 15 Ap; c. 16 I; c. 5 IV; c. 3 Antioch).

A priest without commendatory letters from his bishop is absolutely prohibited from officiating divine services in another city (c. 13 IV).

A priest who takes away candles or oil from the church should be excommunicated (c. 72 Ap).

A priest who appropriates consecrated vessels to private purposes should be excommunicated (c. 73 Ap).

A priest who divorces his wife under pretext of piety should be excommunicated; if he persists, let him be deposed (c. 5 Ap).

A priest who eats in a tavern, unless he is on a journey, should be excommunicated (c. 54 Ap).

A priest who insults a priest or a deacon (c. 56 Ap) or who mocks an infirm person should be excommunicated (c. 57 Ap).

If the people of a see refuse to receive a bishop who is ordained over them, the clergy of that see should be suspended

because they have not corrected the disobedient people (c. 36 Ap).

If an excommunicated priest is received in another city without commendatory letters by a priest who is already excommunicated, let his excommunication be lengthened (*akriveia*; c. 13 Ap).

C. Suspension of a deacon

If a deacon joins in prayer with heretics, he should be suspended (c. 45 Ap).

If a deacon shares Holy Communion with the excommunicated, he too will be excommunicated (c. 10 Ap; c. 2 Antioch).

A deacon should be suspended it if he receives suspended or excommunicated clergymen without commendatory letters (c. 12 Ap).

A deacon is to be suspended when, without explanation and serious reason, he refuses to partake of Holy Communion (c. 8 Ap).

A deacon should be suspended if he neglects his fellow clergymen and does not instruct them in godliness (c. 58 Ap); again, a deacon who after ordination does not undertake the ministry and the people committed to him should be suspended (c. 36 Ap).

A deacon should be suspended if he refuses to supply what is needed to a fellow clergyman in want, considered as one who has killed his brother (c. 59 Ap).

A deacon is to be suspended if he leaves his parish and refuses to return when summoned by his bishop (c. 15 Ap; c. 16 I; c. 5 IV; c. 3 Antioch).

A deacon without commendatory letters from his bishop is absolutely prohibited from officiating divine services in another city (c. 13 IV).

A deacon who misappropriates candles or oil from the church should be excommunicated (c. 72 Ap).

A deacon who appropriates consecrated vessels to private purposes should be excommunicated (c. 73 Ap).

A deacon who divorces his wife under pretext of piety should be excommunicated; if he persists, let him be deposed (c. 5 Ap).

A deacon who eats in a tavern, unless he is on a journey, should be excommunicated (c. 54 Ap).

A deacon who insults a priest or a deacon (c. 56 Ap) or who mocks an infirm person should be excommunicated (c. 57 Ap).

If the people of a see refuse to receive a bishop who is ordained over them, the clergy of that see should be suspended, because they have not corrected the disobedient people (c. 36 Ap).

If an excommunicated deacon is received in another city without commendatory letters by a priest who is already excommunicated, let his excommunication be lengthened (*akriveia*; c. 13 Ap).

D. Suspension of a minor clergyman

If a subdeacon, reader, or singer (*psaltis*) is addicted to dice or drinking, let him either give it up or be deposed (c. 43 Ap).

A reader without commendatory letters from his bishop is absolutely prohibited from officiating in divine services in another city (c. 13 IV).

A penalty of suspension is inflicted against those in the minor clergy who communicate with the excommunicated (c. 10 Ap; c. 2 Antioch).

The same penalty applies to minor clergy who refuse, without sufficient reason, to partake when the oblation is made (c. 8 Ap).

Minor clergy should be suspended if they leave their parish and refuse to return when summoned by their bishop (c. 15 Ap; c. 16 I; c. 5 IV).

Minor clergy should be suspended if they misappropriate candles or oil from the church (c. 72 Ap).

Minor clergy should be suspended if they appropriate consecrated vessels to private purposes (c. 73 Ap).

Minor clergy should be suspended if they eat in a tavern unless they are on a journey (c. 54 Ap).

Minor clergy should be suspended if they insult a priest or a deacon (c. 56 Ap) or mock the infirm (c. 57 Ap).

If the people of a see refuse to receive a bishop who is ordained for them, the clergy of the see are to be suspended (c. 36 Ap).

Suspension, when disregarded, is to be prolonged (*akriveia*) (c. 13 Ap).

SUSPICION: People who might fall under suspicion while traveling from one eparchy to another should be given commendatory letters (c. 11 IV). The canon requires that people in need should travel with letters of peace (pacifical letters), so that they might solicit help, while clergy traveling should receive commendatory letters. This seems to be a paradoxical canon whereby people under suspicion are to be commended and the poor are made ambassadors of peace. The great canonists Aristenus and Hefele clarified this situation by stating that laypeople and clergy who were previously subject to canonical censure, and therefore suspected by other bishops, needed a special recommendation in order to be received in another church—hence the commendatory letters. Conversely, those who were in undisturbed communion with their bishop received peace letters not because of their peaceful nature but because "those who had the ability to help them may be moved with pity." See also LETTERS, COMENDATORY; LETTERS, PEACE.

No clergyman shall have a woman in his house except his mother, a sister, an aunt, or such people only as are beyond all suspicions (c. 3 I).

Let none of those who are on the priestly [sacerdotal] list possess any woman or maidservant beyond those who are enumerated in the canon as free from suspicion; if anyone transgresses this decree, let him be deposed. And let the eunuchs also observe the same rule, that by foresight they may be free of censure (c. 5 VI).

SYMBOL, OF FAITH: See CREED.

SYNAGOGUE: If any Christian brings oil into or lights lamps in a temple of the heathen or in a synagogue of the Jews at their festivals, he or she should be excommunicated (c. 71 Ap).

Clergymen and laypeople are not allowed to enter a synagogue of Jews or heretics to pray; if they do so, let the former be deposed and the latter be excommunicated (c. 64 Ap).

SYNOD, DIOCESAN: Charges against a bishop may be brought before a diocesan synod, if the provincial synod cannot decide satisfactorily (c. 6 II).

SYNOD, ECUMENICAL: Charges against bishops brought by communicants of good repute may be admitted by the synod of the bishops of the province. If they cannot settle the case, the parties should bring the charges to the greater synod of the bishops of the diocese, but they may not go further by annoying the ears of the emperor, and they may not go to secular courts or trouble an Ecumenical Synod (c. 6 II).

The Ecumenical Synod is the supreme forum for the Church universal. The decisions of this synod should be observed scrupulously (c. 1 VI; c. 1 VII). Norms contrary to those established by the Ecumenical Synods shall be of no effect (c. 8 III).

SYNOD, ENDEMOUSA: The Endemousa Synod emerged from historical conditions both in the West (*consilium apostolicae sedis*), where it eventually evolved into the College of Cardinals in Rome, and in the East, where it is known as the "present synod" or the "synod of the inhabitants" (*synodos endemousa*). The Endemousa Synod was a consultative body of the Patriarch of Constantinople and did not have any sort of jurisdiction. But its continuous presence in Constantinople (which technically contradicted c. 71 Carthage; 11, 12 Sardica; 16 Constantinople I–II), led to the modern permanent or standing synods, in which a reduced number of bishops deal with day-to-day ecclesiastical tasks of the country or region.[280] These standing synods function on some canonical prescriptions that allow a limited number of bishops to deal with issues that may not be postponed (c. 1 Ap; c. 4, 6 I; c. 3 VII; c. 19, 21 Antioch; c. 6 Sardica).

SYNOD, PROVINCIAL: The provincial synod is a synod of the bishops of the metropolitan region and is sometimes called a metropolitan or eparchial synod.

Let there be a meeting of the bishops twice a year, and let them examine among themselves the decrees concerning religion and settle ecclesiastical controversies that may occur; one meeting in the spring and one in the fall (c. 37 Ap; c. 19 IV; c. 20 Antioch). If the

280. For example, in the Church of Greece there are eighty-one dioceses, each one led by a metropolitan member of the Synod of Greece; however, the daily ecclesiastical issues and those of urgent nature are dealt with by the standing (permanent) synod, presided over by the Archbishop of Athens and All Greece and including twelve metropolitans, elected for one year and serving by rotation. A similar structure can be found in the Patriarchates of Russia, Romania, Serbia, and other churches.

synod cannot meet twice a year because of serious reasons, then it should meet at least once a year (c. 8 VI; c. 6 VII; c. 73 Carthage).

The first is to be held before Great Lent and the second in the fall (c. 5 I).

The synod will meet wherever the bishop of the metropolis deems best and approves (c. 19 IV; c. 8 VI), and the synod may not be held without him (c. 16, 20 Antioch).

The synod of the bishops will examine issues related to doctrine and settle ecclesiastical controversies (c. 37 Ap).

Bishops must attend and either teach or be taught for the reformation (i.e., betterment) of the Church and of others; however, they should be not guilty of contempt by being absent without an excuse of illness (c. 40 Laodicea).

Bishops are to attend provincial synods unless prevented by unavoidable business (c. 19 IV) or ill health (c. 19 IV; c. 40 Laodicea). Again, bishops are required to participate in the meetings of the synod (c. 19 IV; c. 76 Carthage; c. 40 Laodicea; c. 6 Sardica).

The synod will determine the bishop's jurisdiction over outlying parishes (c. 17 IV).

The synod will decide what shall be done when a bishop is prevented from entering the diocese for which he was elected (c. 18 Antioch).

The synod acts as a court of appeal in revising sentences of individual bishops (c. 5 I; c. 6, 20 Antioch), tries bishops accused of offenses (c. 74 Ap; c. 6 II; c. 9 IV; c. 14, 15, 17 Antioch; c. 1 Constantinople [394]), and tries the complaints of a clergyman against a bishop (c. 9 IV).

The synod tries a bishop who, duly ordained and appointed, refuses to go to the diocese entrusted to him (c. 17 Antioch), investigates the accounts of a bishop or priest who is charged with misappropriation of funds (c. 25 Antioch), and punishes bishops who receive deposed clergymen in their clerical capacity (c. 3 Antioch).

The synod appoints bishops to their dioceses (c. 4 I; c. 19, 23 Antioch) and deals with bishops who act beyond their jurisdictions (c. 22 Antioch). A provincial synod is forbidden to rehear the case of a deposed clergyman who, after deposition, meddles with his former ministry (c. 4 Antioch).

A clergyman who, despising his bishop, builds a congregation and erects an altar, not having any grounds for condemning the bishop with regard to religion or justice, should be deposed and have no further remedy—that is, no right to appeal to the provincial synod (c. 5 Antioch).

The synod should not hear the case of the clergyman deposed by his bishop and who then troubles the ears of the emperor or of the secular courts rather than submit his case to the greater synod of the bishops (c. 12 Antioch).

A provincial synod may not ordain and appoint a bishop in the absence of the metropolitan (c. 19 Antioch).

The sentence of a provincial synod, if unanimous, is final (c. 15 Antioch).

If a bishop without a see throws himself upon a vacant see without the consent of the full synod, he should be cast out (c. 16 Antioch).

TAVERN: A clergyman is not allowed to enter a tavern. If he is found eating in a tavern, let him be excommunicated unless he went on a journey and was constrained by necessity (c. 54 Ap; c. 24 Laodicea; c. 40 Carthage). Clergymen of all ranks and monks are not allowed to enter a tavern (c. 24 Laodicea). A clergyman who keeps a tavern must desist or be deposed (c. 9 VI).

TEACHING: Teaching of the clergy and people is enjoined on bishops and priests; if they neglect to instruct people in the way of godliness, they should be excommunicated, and if they persist in negligence and idleness, they should be deposed (c. 58 Ap). Teaching is also one of the main tasks of the synod (c. 40 Laodicea).

Let those who are teaching a slave to despise his master and to run away from his service be anathematized (c. 3 Gangra).

If the metropolitan forsakes his synod and the Church's teaching and joins the assembly of the apostates or adopts heretical doctrines, he should be judged by his bishops and the metropolitans from neighboring provinces (c. 1 III).

Those who preside over the churches should teach the clergy and the people, especially on the Lord's Day, the doctrine of the Church; their teachings should be based on the Scriptures and Tradition (c. 19 VI).

If someone runs from a monastery, the abbot must make every effort to bring him back, to help him see his mistake, and with the

right teaching to bring him back to the fold; if the abbot neglects to do so, he should be excommunicated (c. 3 Constantinople I–II).

If a hierarch of a clergyman preaches on a teaching condemned by the Church, that clergyman should separate from his hierarch and remain on the side of the Orthodoxy (c. 15 Constantinople I–II).

Teaching about the triple immersion in water of the candidate to baptism and the three renunciations of Satan comes from Holy Tradition (c. 92 Basil the Great).

TEMPLE, HEATHEN: Christians are not allowed to take oil into or light lamps in a temple of the heathen at their festivals; if they do so, let them be excommunicated (c. 71 Ap).

TESTAMENT (LAST WILL): A bishop may leave his personal property through last will or testament to whomever he wants (c. 40 Ap; c. 24 Antioch; c. 32 Carthage). But a bishop may not leave his personal property through testament to the heterodox; if he does so, anathema will be pronounced on him, even after his death (c. 81 Carthage). He may leave his property only to Orthodox people (c. 22 Carthage). See also BEQUEST.

THEFT: A clergyman who steals should be deposed (c. 25 Ap; c. 42 John the Faster). If any clergyman or layperson takes away candles or oil from the holy Church, let him be excommunicated, and let him restore a fifth part more than he took (c. 72 Ap). Let no one convert to private use any vessel of gold or silver or any veil that has been sanctified, for it is contrary to the law; anyone who does so should be excommunicated (c. 73 Ap).

During the great calamities brought on the Church, some of the sacred houses and monasteries were seized by certain people and turned into inns or hotels. If those people who hold them now choose to give them back to be restored to their original use, it is well and good; but if not, measures will be taken against them. If they are on the sacerdotal list, they should be deposed; if they are monks or laypeople, they should be excommunicated (c. 13 VII).

Those who misappropriate gold and silver vessels of the Church are to be sanctioned; clergymen who do so should be deposed, and laypeople who do so should be excommunicated. The use of a sanctified object for purposes other than those described in the service book of the Church should be sanctioned with excommunication (c. 10 Constantinople I–II).

The time of penance should be divided in time for prostrations and time for listening, and only after that should the penitent receive Holy Communion (c. 61 Basil the Great).

One who steals from public or church property may not enter into the ranks of the clergy; and if someone fell into this temptation after ordination, he should be deposed (c. 42 John the Faster).

According to c. 61 Basil the Great, the thief who confesses his crime should be excommunicated for one year; but if he was caught stealing, he should be excommunicated for two years. John the Faster canonized with forty days of excommunication the one who confesses and repents his sin, and canonized the one who is caught stealing with six months excommunication, eating dry food, and doing one hundred prostrations daily (c. 41 John the Faster).

One who digs the dead out of their graves—that is, a pillager of graves—shall be a mourner two years, a hearer three years, a prostrator four years, a costander one year (c. 66 Basil the Great).

Christians who plundered their brethren during the invasion should be excommunicated (c. 2 Gregory of Neocaesarea). The pretense of having found goods, or that they themselves lost things of equal value, shall stand them in no stead; they are to be excluded from prayer (i.e., excommunicated; c. 3, 4, 5 Gregory of Neocaesarea).

Those who joined the barbarians in their murder and ravages, or were guides and informers to them, are not permitted to be hearers until holy men assemble together to agree in common upon what shall seem good, first to the Holy Spirit, then to themselves. But if they make themselves known and make restitution, they shall be admitted as prostrators (c. 7, 8 Gregory of Neocaesarea).

Those who are convicted to have found (though in their own houses) anything of their neighbors' left by the barbarians shall also be prostrators; but if they confess themselves they shall communicate in prayer. This last privilege is restrained such that they may not demand any reward for discovery or salvage (c. 9 Gregory of Neocaesarea).

Those who pilfer and then confess their sin to the priest are obliged to make restitution and to be liberal to the poor in almsgiving; if they have nothing, they are to labor and give their earnings (c. 6 Gregory of Nyssa).

Those who dig up graves and rake the ashes and bones of the dead in order to find some valuable thing buried together with the corpse are to do the penance of the fornicators (c. 7 Gregory of Nyssa).

Those who commit robbery are to be penanced as murderers, as they are adding violence to the act of stealing (c. 40 John the Faster).

C. 66 Basil the Great gives to one who digs up graves the penance of excommunication for ten years; John the Faster prescribed one year of excommunication, with one meal a day (at the ninth hour) and two hundred prostrations daily (c. 43 John the Faster).

TIME: The time after which a bishop can obtain total jurisdiction over outlying parishes whose jurisdiction is unknown and over which he has exercised peaceful and continuous authority is thirty years (c. 17 IV; c. 25 VI). See also PRESCRIPTIVE RIGHTS.

A bishop who converts to Orthodoxy a parish from another eparchy and is not opposed by anyone for a period of three years may retain it; that parish should be not taken away from him afterward (c. 119 Carthage).

TONSURE (GENERAL): The sacramental tonsure is done at baptism as a confirmation of the membership into the Body of Christ; at entry into monasticism, as a sign of renunciation of the world; and at the ordination of minor clergy, as a sign of service to God as missionary and apostle. The tonsure at baptism signifies the entry of the candidate into the flock of Christ and of nobody else (EL 225), and the tonsure of a reader is understood to be a sign of sanctification of the candidate, as the hair is seen as a blossoming of the whole body (Symeon of Thessalonika, VI.158).

Being sanctified through tonsure, the reader or the singer (*psaltis*) is required to read from the Epistle Book [Apostolos] or chant from the Psalter, after which the bishop could give them "peace" and pray for them (Symeon of Thessalonika, VI.159).

A subdeacon is clothed with the sticharion and orarion and is signed into service through tonsure (Symeon of Thessalonika, VI.163).

TONSURE (INTO MONASTICISM): Tonsure into monasticism, or taking monastic vows, belongs to the category of hierurgies (also known as sacramentals,[281] or blessings) rather than to the sacrament of ordination.

The monastics (monks and nuns) belong to the laity rather to the clergy; that is why they are received through a profession of faith by taking vows of poverty, chastity, and obedience rather through ordination to minor ranks (*cheirothesia*). In the early Church, tonsure into monasticism was performed by monks and not by priest-monks (hieromonks) or bishops. Many monks viewed additional ordination to priesthood as contradictory to their hermitical life. Consequently, the bishops had to perform the tonsure of monks, and eventually the task of tonsuring nuns came to be reserved for the bishop alone. In the same way, the bishop's exclusive task of tonsuring was extended to the virgins and deaconesses.

After the Fourth Ecumenical Council (Chalcedon, 451) monasticism came fully under the control of Church authority, so all tonsures into monasticism had to be performed by the bishops or their delegates. The delegates could be priests from parishes or even nonordained monks. By the fifteenth century, the parish priest was no longer allowed to perform the tonsure; thus, only the bishop or his delegate hieromonk could perform it. This is the current practice.

It was decreed that chrism and the reconciliation of the penitents, as also the consecration of the virgins, not be done by presbyters (c. 6 Carthage).

Virgins are to be commended to the care of the bishop, or presbyter when the bishop is absent, to live with women of greater age, so that they may take care of them, lest they hurt the reputation of the Church by wandering about (c. 44 Carthage).

A bishop might veil a virgin, even when she is a minor, if there exists fear of death or of a powerful suitor or of a ravisher (c. 126 Carthage).

Monks in every city and district shall be subject to the bishop, embrace a quiet course of life, and give themselves to fasting and

281. Sacramentals are hierurgies or blessings, ordained by the Church for the sanctification of many events in the life of the faithful, community or environment. The most exalted blessings are the seven sacraments of the Church. The term 'sacramentals' is used mostly in the Roman Catholic Church, while the Orthodox Church uses mostly the terms 'blessings' or 'hierurgies.'

prayer, remaining permanently in the places in which they were set apart (c. 4 IV).

Those who have been enrolled among the clergy or have been made monks shall accept neither a military charge nor any secular dignity; if they do not repent and turn to their calling, they shall be anathema (c. 7 IV).

He who is about to submit to the yoke of monastic life should not be less than ten years of age (c. 40 VI); a virgin should be at least seventeen years of age (c. 18 Basil the Great). Likewise, a widow should be elected at the age of sixty, and a deaconess should be ordained at forty (c. 40 VI).

If one is about to enter a monastery and practice the anchorite's life, let him live for three years in the monastery and then be examined by the abbot, after which he should spend one more year outside of the monastery to verify his vocation. Only after that should he be made a monk (c. 41 VI).

The Sixth Ecumenical Council also decreed that previous faults and sins of life should not be an hindrance for entering a monastery (c. 43); however, some restrictions were imposed on monastics, ranging from behavior in the monastery or outside (c. 44, 46, 47) to appropriate dress (c. 45) and discerning between true monasticism and false (Eremites; c. 42).

If any woman from pretense of asceticism cuts off her long hair, which God gave her as the reminder of her subjection, let her be anathema (c. 17 Gangra).

Whoever in exchange for money admits those coming to holy orders or to monastic life should cease or be deposed; a superior (abbot or abbess) of the monastery who does so should be expelled and put under obedience, but the possessions of those coming to the monastery should remain within the monastery, whether the person remains or not, provided that the superior is not to blame (c. 19 VII).

Once tonsured into monasticism, a monastic is supposed to live his or her life in the monastery; attempts at leaving or fleeing the monastery were dealt with quite seriously by the canons of Constantinople I–II (AD 861; see c. 2, 3, 4, 5, 6 Constantinople I–II).

TORTURE: Priests who have lapsed under torture may be restored to their honor but are not permitted to officiate (c. 1 Ancyra). People who have remained steadfast under torture, though forced to seem otherwise, are entitled to all their privileges (c. 3 Ancyra).

Those who endured torture and were deprived of speech and movement, who had their hands forced into fire in order to offer unholy sacrifice, should be placed in the diptychs of the liturgy among the confessors (c. 14 Peter of Alexandria).

Those who were submitted to torture during the persecutions and were forced to deny Christ should be received back after eight years of excommunication: three years as hearers (at the door of the church), two years hearers, three years prostrators; those who without much constraint gave up and sold the faith of God should be excommunicated for eleven years: three years outside of the church, two years as hearers (at the door of the church), three years as prostrators, and three years as costanders (c. 81 Basil the Great).

Those who were tortured in order to deny Christ are entitled to mercy; they should fast eighty days, listen to the prayers for seven days, be anointed on the eighth day, and then receive Holy Communion; but those who willingly denied Christ should be excommunicated for two years with fasting, prayers, and prostrations; then they should listen to prayers for seven days, and on the eighth day they should be anointed and receive Holy Communion (c. 1 John the Faster.)

TRADITION: Ancient Tradition entitles the Bishop of Jerusalem to be next in honor after the Metropolitan of Caesarea (c. 7 I).

The authority of bishops is founded on tradition of the Holy Fathers: "let no one arrogantly cast off the rule of his own bishop" (c. 8 IV).

Those who preside over the churches should teach the clergy and the people, especially on the Lord's Day, the doctrine of the Church. Their teachings should be based on the Scriptures and Tradition (c. 19 VI).

Both Apostolic and Patristic Tradition shall be followed; it is not right to break the fast on Holy Thursday of the last week of Great Lent (i.e., Thursday of Holy Week) and thus to dishonor the whole of Lent (c. 29 VI).

Let relics of the Holy Martyrs be placed in such churches as have been consecrated without them. But whoever (from now on) consecrates a church without these shall be deposed as a transgressor of the traditions of the Church (c. 7 VII).

The Tradition of the Church blesses charity, as "we bless the exceeding charities done by the brethren to the poor, according to the traditions of the Church" (c. 21 Gangra).

Apostolic Tradition is declared of authority, "as we wish [that] all things which have been delivered by the Holy Scripture and the apostolic traditions, may be observed in the Church" (c. 21 Ancyra).

Attitudes of the faithful that depart from the traditions of the Church could be damaging: for example, pretense of asceticism, exaltation of virginity and condemnation of marriage, dissolute and effeminate excess in dress, and so on (c. 21 Gangra).

Christians keep the Lord's Day as a day of joy because then our Lord rose. Our tradition is not to kneel on that day (c. 15 Peter of Alexandria).

The dogma and the preaching of the Church have their source in the written doctrine and also in the tradition handed down by the apostles in mysteries (c. 90, 91 Basil the Great).

Teaching about triple immersion in water of the candidate to baptism and the three renunciations of Satan came from Holy Tradition (c. 92 Basil the Great). See also CUSTOM.

TRANSFER: Generally, the transfer of clergy from one parish to another is prohibited, as at ordination a clergyman enters into a covenant with the parish and parishioners, a covenant similar to that of the parties receiving the sacrament of marriage.

Under certain circumstances, a transfer is accepted by canons for limited reasons and in specific situations: the parish is no longer viable, the clergyman does not fit anymore with the parish, the parish rejects the clergyman for nonreligious reasons, or the canonical authority calls the clergyman to a superior ministry (EL 1974).

"Neither bishop, presbyter, nor deacon shall pass from city to city," but a transfer may be accepted for serious reasons (c. 14, 15 Ap; c. 15 I; c. 20 IV; c. 21 Antioch; c. 16 Sardica). The transfer of a bishop from one eparchy to another should be decided only by the synod and only for reasons related to the faith (c. 14 Ap; c. 5 IV; c. 16 Antioch; c. 48 Carthage).

A bishop who receives clergymen without permission from the bishop to whom the clergyman belongs should be excommunicated as a teacher of disorder (c. 16 Ap).

A clergyman who transfers without the approval of the bishop no longer is allowed to perform divine services (c. 15 Ap; c. 15 I; c. 3

Antioch). Other canons demand that he be deposed (c. 17 VI; c. 10 VII).

No clergyman shall be recorded on the sacerdotal list of the churches of two cities; but if he has been transferred, let him have no share in the affairs of his former parish (c. 10 IV).

If a cleric leaves his own parish and changes residence in another city and does not respond to the summons of his bishop, let him not offer the sacrifice—that is, he is not allowed to perform liturgical and sacramental ministry. But if he persists in his insolence, let him be deposed with no hope of restoration (i.e., defrocked); if another bishop receives a man deposed, he should be punished by the synod as one who nullifies the ecclesiastical law (c. 3 Antioch).

If a bishop without a see shall throw himself upon a vacant church (i.e., diocese) and seize its throne without a full synod, he shall be cast out, even if all the people over whom he is now ruling choose him; he will be judged by the full synod in the presence of the metropolitan (c. 16 Antioch).

No bishop is to be found passing from a smaller to a greater city. If anyone moves from a humble to a more important see, he should be excommunicated for his entire life as proud and grasping (c. 1 Sardica).

TRAVEL: A clergyman may not travel without letting his bishop know or without a canonical letter (c. 41, 42 Laodicea).

A clergyman may not eat in a tavern unless he is on a journey; if he disregards this rule, he will be excommunicated (c. 54 Ap).

Letters of peace may be given to the poor in need of help and who travel (c. 11 IV). A bishop gives recommendation letters to traveling clergy (c. 11 IV; c. 12 Ap).

A clergyman who does not dress appropriately when he travels or at home should be suspended for one week (c. 27 VI).

A woman who conceives and gives birth on the way—that is, while traveling—and fails to take appropriate measures is to be subject to the penalty provided for a murderer (c. 33 Basil the Great).

TRIAL OF A CLERGYMAN: See BISHOP; PRIEST; DEACON; ECCLESIASTICAL COURT.

TRINITY: The doctrine of the Trinity was acknowledged by the Second Ecumenical Council: "we receive those in Antioch who confess the unity of Godhead of the Father, and of the Son, and of the Holy

Spirit" (c. 5 II). The doctrine of the Trinity is also acknowledged in the formula of baptism. "If any bishop or presbyter, contrary to the ordinance of the Lord, does not baptize into the Father, the Son, and the Holy Spirit, but into three Unoriginated Beings, or three Sons, or three Comforters, let him be deposed" (c. 49 Ap).

The whole Council said, "By the favor of God, by a unanimous confession the Church's faith which through us is handed down should be confessed in this glorious assembly before anything else; and those things received from our fathers we uphold, as the unity of the Trinity, which we retain consecrated in our senses, of the Father, and of the Son, and of the Holy Spirit" (c. 2 Carthage).

TRIPLE IMMERSION: A clergyman (bishop or priest) should baptize in water by three immersions, not by one immersion only into the death of the Lord; whoever disregards this rule should be deposed (c. 50 Ap).

The following belong to the ritual of baptism: exorcism, renunciations, blessing of the baptismal water, anointing with oil, triple immersion, and anointing with myrrh (i.e., chrism; c. 91 Basil the Great).

Teachings about triple immersion in water of the candidate to baptism and the three renunciations of Satan came from Holy Tradition (c. 92 Basil the Great).

UNANIMITY: An unanimous verdict by a provincial synod at the trial of a bishop is final and may not be appealed (c. 15 Antioch).

If in sentencing a bishop unanimity of votes was not reached, the metropolitan should also call to the synod bishops from the neighboring provinces (c. 14 Antioch).

The bishops of every nation should acknowledge him who is the first among them and do nothing without his consent; but neither let him who is the first do anything without the consent of all, for so there will be unanimity (c. 34 Ap).

UNBECOMING BEHAVIOR: Christians are not allowed to participate in acts that may lead to the endangerment of the players, or in which cruelty against people or animals is exercised, or in which immoral and indecent attitudes are promoted. An offending clergyman should be deposed; a layperson should be excommunicated (c. 51 VI). See also STRIKE/BLOW.

UNBELIEVERS: Bishops, priests, and deacons are not allowed to strike unbelievers who have done wrong with the intention of frightening them; if they do so, they should be deposed (c. 27 Ap).

Those who were not blessed by the bishop through the laying on of hands may not catechize unbelievers, either in churches or in private houses (c. 26 Laodicea).

UNCANONICAL BOOKS: Uncanonical books are not to be read in the Church; the clergyman who does so should be deposed (c. 60 Ap; c. 59 Laodicea).

UNCTION, HOLY: Holy unction is the sacrament that heals sickness, especially that influenced by sin (John 5:14), and heals the unclean spirit cultivated by desires or lack of will (Matt. 12:43–45). Sick people can be healed through the grace of the Holy Spirit and the prayers of the Church (James 5:14–16).

The sacrament of holy unction is customarily performed on Wednesdays and Fridays and in special circumstances on other days and even outside the church. A special holy unction for the entire community is performed on Wednesday of Holy Week. Sick people are expected to fast and to participate in the sacrament of confession before receiving unction. According to tradition, the sacrament of holy unction should be performed by seven priests but does not lose the character of sacrament if it is performed by fewer priests or just one. St. Symeon the New Theologian (949-1022) required more than one priest in the service of holy unction.

In the Roman Catholic Church, the sacrament of holy unction is administered only to those severely ill or on their deathbed, the reason why in this church the sacrament is also known as last rites (*extrema unctio*).

Orthodox custom requires that seven priests should celebrate holy unction; where there are not seven priests, three may do it. But one priest may not celebrate holy unction, for St. James said that when one is sick the priests of the church should be called and pray over him, anointing him with oil in the name of the Lord (James 5:14; Symeon of Thessalonika, V.283).

Roman Catholics maintain that holy unction should be done not on those who are sick but on those who are dying; this is folly (Symeon of Thessalonika, V.285). The oil of holy unction is different from the oil used in anointing the dead; the first is for healing,

whereas the second is a sign of the completion of a good fight for Christ (Symeon of Thessalonika, V.286).

A description of the service of holy unction can be found in the writings of St. Symeon of Thessalonika (V.288).

UNINTERRUPTED POSSESSION: Uninterrupted possession for thirty years by a bishop of jurisdiction over outlying or rural parishes gives him good title (c. 17 IV).

UNLEAVENED BREAD: See BREAD, UNLEAVENED.

UNWORTHINESS: In his commentary on Apostolic canon 17—"He who has been twice married after baptism, or who has had a concubine, may not become a bishop, presbyter, or deacon, or any other of the sacerdotal list"—Byzantine commentator John Zonaras (d. 1159) remarked that the divine washing of the holy baptism, we believe, washes away from those who have been baptized filth that was absorbed before baptism. No sin that was committed by anyone before this [baptism] forbids advancement to the priesthood. But if anyone commits fornication or takes a second marriage after baptism, he is judged unworthy of any priesthood (*Rudder*: 28).

Cyril of Alexandria in 442 wrote a letter to Domnus II of Antioch, the nephew and successor of John of Antioch, regarding a bishop called Peter, who had been removed from the see for a canonical infraction. Cyril informed Domnus that Peter should not simply retire to avoid scandal and canonical punishment but rather should submit himself to proper canonical procedure, which stated that "if they are worthy to liturgize, let them remain there, but if they are unworthy, do not let them leave by retiring, rather let them be judged for [their] actions."[282]

The Church determines who is worthy of ordination and bestows God's grace on the candidate; the same Church determines which minister has fallen away from the grace given to him at his ordination and deposes him. The determination of unworthiness may lead to temporary deposition, in which case the grace remains with the clergyman even though he remains unworthy, or may lead to the permanent deposition, at which point the minister falls from grace.

282. C. 3 of Cyril of Alexandria clearly states that a bishop should not be allowed to resign when he has committed a serious sin and provoked scandal, but he should be judged and condemned by the synod.

Canonical tradition prescribes that specific sins committed after ordination lead to canonical penalty, which may range from degradation from rank to deposition and excommunication from the Church.[283]

UPRIGHTNESS: Uprightness in the enjoyment of wealth is commended, as "we do not condemn wealth enjoyed with uprightness and beneficence" (c. 21 Gangra).

USURPATION: The usurpation of a province by an exarch is not permitted (c. 8 III).[284]

A bishop is not allowed to usurp a vacant see; if he throws himself upon it without the approval of the full synod, he shall be cast out, even if all the people over whom he has usurped jurisdiction choose him (c. 16 Antioch).

A bishop should not usurp the authority of a metropolitan by means of civil authority; if a city is divided and a new metropolis is created, the new metropolis will have the name and the honor, but the rights remains with the old one and with its metropolitan (c. 12 IV).

USURY: See INTEREST.

VACANT SEE: See SEE.

VEGETABLES: Vegetables are not to be received at the altar, with the exception of new ears of corn and clusters of grapes; a clergyman who receives them should be deposed (c. 3 Ap). For Holy Communion "nothing else shall be offered than that which the Lord ordained, that is to say, bread and wine mixed with water"; the first-fruits, such as grapes and corns, or honey and milk, may be received,

283. A summary list of those prescriptions can be found in *Nomocanon in XIV Titles*, title 9, in the following chapters: chapter 14, "Of What Sorts of Accusations Depose" (c. 3, 5, 6, 8, 20, 23, 25, 28, 29, 30, 31, 35, 42, 44, 45, 46, 47, 49, 50, 51, 52, 53, 55, 59, 60, 62, 63, 64, 65, 66, 68, 69, 70, 81, 83, 84 Ap; c. 2, 10, 17 I; c. 10, 14, 18 Ancyra; c. 1 Neocaesarea; c. 1, 3, 4, 5, 13 Antioch; c. 2 III; c. 2, 18, 27 IV; c. 21 Sardica; c. 3, 4, 5, 9, 11, 86, 97 VI; c. 60 Basil the Great); chapter 15, "Of What Sorts of Things of Charges Both Cast Out or Depose and Cut Off from the Communion of the Church" (c. 25, 29, 30, 65 Ap); chapter 16 "Of What Sorts of Charges is a Cleric or Layman Anathematized" (c. 18 Gangra; c. 2, 7 IV); chapter 18, "Of What Sort of Charges is Someone Completely Cast Out" (c. 28, 51, 62 Ap; c. 4 Antioch; c. 36 Laodicea; c. 21 VI).

284. The canon refers to the Bishop of Antioch, who held ordinations in Cyprus even though by canons of the Holy Fathers and ancient custom, the bishops of Cyprus enjoyed that privilege themselves.

but they should be blessed with their own benediction, separately from the sacraments of the Lord (c. 37 Carthage).

If a clergyman abstains from meat, he should taste it once and afterward he may abstain; but if he disdains it and will not eat even vegetables cooked with meat, he should be deposed (c. 14 Ancyra).

On Sundays of Great Lent, the faithful celebrate the Liturgy of Basil the Great . . . as for eating, we eat vegetables with oil and also we get release for wine, but fish we do not eat (*Great Typikon* in EL 1574).

VAGRANT: Vagrant clergymen or monastics should be forced to return to their places (c. 23 IV).[285] A monk who renounces the habit and leaves the monastery and eats meat and gets married should be anathematized if he does not return, put on the habit, and spend some time locked in the monastery (c. 35 Nicephorus the Confessor).

VERDICT: If the provincial synod cannot agree to a verdict on the trial of a bishop, the metropolitan is to call in some of the bishops of the neighboring provinces to rehear the case (c. 14 Antioch).

A unanimous verdict by a provincial synod on the trial of a bishop is final and may not be appealed (c. 15 Antioch). See also SENTENCE.

VERNAL EQUINOX: Bishops, priests, and deacons are not allowed to celebrate Easter (Pascha) before the vernal equinox, at the time of the Passover of the Jews; if someone does so, he should be deposed (c. 7 Ap; c. 1 Antioch).

Any person who obstinately persists in opposing the decree of the holy and great Synod of Nicaea and celebrates Easter (Pascha) at the Passover of the Jews should be excommunicated (c. 1 Antioch).

VESSELS, HOLY: Holy vessels may include the following: paten, chalice, covers, communion spoon, spear, asterisk, altar table cover, and all sanctified objects of cult.

No one should convert to private use vessels of gold or silver, or any veils that have been sanctified; if anyone is detected doing so, let him be excommunicated (c. 73 Ap).

285. This canon refers to some clergymen and monastics who left their parishes or monasteries without approval (or sometimes after being excommunicated) and then went to the imperial city of Constantinople and caused disturbances and trouble to the ecclesiastical state.

Subdeacons have no right to a place in the diaconicum, nor are they to touch the Lord's vessels (c. 21 Laodicea).

If anyone wishes to receive the immaculate Body in the time of synaxis and to offer himself for Holy Communion, let him draw near, arranging his hands in the form of a cross, and let him receive the communion of grace. But if instead of hands someone uses vessels of gold or other materials to receive the divine gift, this is not allowed. If anyone shall be found imparting the immaculate Communion to those who bring vessels of this kind, let him be cut off (i.e., excommunicated) along with the one who brought them (c. 101 VI).

A clergyman who takes out of the altar those holy vessels or gives them a use other than the one prescribed by the service book should be excommunicated; if he steals any of them, he should be deposed (c. 10 Constantinople I–II).

The holy vessels (chalice, paten, asterisk, spear, communion spoon, and the three covers) should always be in the church (EL 1237).

In case of fire or sudden collapse of the church building, the celebrant priest should take the holy vessels and the antimension and go into another church or another appropriate place and continue the liturgy until the end (EL 1256).

After the distribution of Holy Communion, the priest is required to put the particles in the chalice and to make sure that no particles remain on the antimension or on the sponge. After consuming the remains of Holy Communion (*katalixis*), the priest should make sure that the chalice is cleansed and dried, that the vessels are placed in order and covered, so no dust or other impurities will fall over them (EL 1259).

If the church catches fire during the Divine Liturgy (especially after the Cherubic Hymn), the priest may fetch the antimension and the other vessels and continue the liturgy all the way to the end in another place (Symeon of Thessalonika, V.108).

VESTMENTS: Liturgical vestments have been used in the service to God from the oldest times (Exod. 39:1–31). Once a priest was consecrated, all the vestments and other appointments needed for service were also consecrated. Usually, church vestments are considered those received by the newly ordained (reader, subdeacon, deacon, priest, and bishop) to the ministry or those vestments that typically

and distinctively include one in the category of clergy. The vestments are specially fashioned and their color indicates the rank (in the Roman Catholic Church) or reflects the season of the ecclesiastical year (in the Orthodox Church). Each ranking member of the clergy in the Orthodox Church must don vestments appropriate for that rank—for instance, readers and singers may not done an orarium (c. 21, 22, 23 Laodicea).

No sacraments may be performed without the *epitrachelion.* If an emergency arises and a sacrament must be performed immediately, and the priest does not have an *epitrachelion* with him or he cannot find one, he may use a belt, a rope, or a piece of cloth in the shape of an *epitrachelion.* After the sacrament, that artifact (belt, rope, or cloth) needs to be preserved and treated as a blessed object; it may also be disposed of by burning on a clean brick (Symeon of Thessalonika, IX.17).

The rules of the Church do not allow a layperson to don the vestments of the clerics, neither the deacon to don the vestments of the priest, nor the priest to don the vestments of the bishop. Those vestments are blessed and they are supposed to be donned only by those in the service of God (Lev. 10:1–7; Num. 9:15–23, 11:16–30, 12:1–6; 1 Kings 6:9; 2 Kings 6:7; John 2:17). People who put on vestments not appropriate to their status or rank should be deposed if they are clerics, or never admitted to ministry if they are laypeople and seek ordination (Symeon of Thessalonika, IX.29).

A subdeacon has no right to wear an orarium (c. 22 Laodicea). A reader or a singer is not allowed to wear an orarium (c. 23 Laodicea).

VETO, RIGHT TO: See RATIFICATION.

VILLAGE: A village is not to have an independent bishop, and those who are already appointed must consult with the bishop of the city before acting (c. 57 Laodicea).

Bishops should be ordained in cities and not in villages and small towns—basically, they should be ordained where other bishops were ordained before them; and if a city grows so much as to be worthy of a bishop, let it receive one (c. 6 Sardica).

No candidate should be ordained at large; however, he may be ordained in the name of a parish from the city, or of the village, or of a martyry, or of a monastery; ordaining without charge makes the ordination inoperative and consequently, the ordained will not be allowed to officiate (c. 6 IV).[286]

VIRGIN: If anyone forces and keeps a virgin who is not betrothed, he should be excommunicated. In addition, he must marry her, even if she is poor (c. 67 Ap). If a virgin is betrothed, the one who raped her must restore her to the man to whom she is betrothed, even though she may have had suffered violence from the ravisher (c. 11 Ancyra).

The bishop has the authority to consecrate myrrh, to consecrate virgins, to consecrate churches, and to pardon penitents (c. 6, 43, 126 Carthage).

Whoever veils a virgin (i.e., clothes her in the habit) before she is twenty-five years of age, being forced on account of a powerful lover, or a ravisher, or deadly disease, provided that those who have the charge of her so exhort, shall receive no punishment from the synod concerning the girl's age (c. 126 Carthage).

It was decreed that the consecration of holy myrrh, the reconciliation of penitents, and also the consecration of virgins, not be done by presbyters (c. 6 Carthage).

It is not lawful for a virgin who has dedicated herself to the Lord to marry; if she was found to have done this, she should be excommunicated, but the bishop will have the power of indulgence toward her (*economia*; c. 16 IV; c. 6 Basil the Great).

If a virgin disregards her profession of virginity, let her fulfill the term of digamists (c. 19 Ancyra).[287]

By the same canon, the virgins are not allowed to reside with men even if they are brothers in faith or monks.

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286. Hefele underscored that the ordinations at large or absolute (*ordinationes absolutae*) are valid but illicit—that is, that the ordained may keep his rank but is not allowed to officiate (Hefele, *Histoire*:2.2, 787-788). Likewise, in the same canon, the word *cheirotonia* is used interchangeably with the word *cheirothesia*, which shows that in the year 451, no semantic difference was observed between the two concepts.

287. Basil the Great answered a question of Amphilochius, Bishop of Iconium, about which norms should be applied in the matter of marriage, those of the Roman (secular) Law or those of the Christian law. The case in point refers to the consent of the parents (or guardians or masters) to the marriage of their children or slaves, consent required by the law of the Roman state and by the Christian Church. Basil emphatically stated that marriage without the consent of the parents is not marriage but fornication; if consent is eventually manifested afterward, the woman receives three years of excommunication; if consent is not obtained, the union should be dissolved as an illegal marriage. For more insight into this matter, see c. 40, 42 Basil the Great.

Those who preserve virginity not on account of its beauty but because they abhor marriage should be anathema (c. 9 Gangra).

If anyone of those who are living a virgin life for the Lord's sake treats arrogantly the married, let him be anathema (c. 10 Gangra).

A deaconess must be a chaste virgin (AC 6.17).

Those who have stolen virgins and have not restored them should be treated as fornicators (five years of excommunication); if the virgins are restored to those who have espoused them, it is at the discretion of the betrothed to marry them or not; if they are restored to their guardians, it is at the discretion of the guardians to give them in marriage to the raptors, or not (c. 22 Basil the Great).

If a virgin runs after and with the consent of her parents eventually marries the man who corrupted her, she commits fornication.[288] It seems that the marriage might heal the situation; however, she is to be excommunicated for three years (c. 38 Basil the Great).

A slave woman who gives herself up to the will of a man without the consent of the master or of her father commits fornication, but if she does the same with the consent of the master or of her father, that is marriage, for the pacts of those who are under the power or tutelage of others are null (c. 40 Basil the Great).

Professed virgins and monastics, if they fall from their profession, should undergo the penance for adulterers (c. 60 Basil the Great). See also DEDICATED VIRGINS.

VIRGINITY: Anyone who profess virginity or observes continence, abstaining from marriage because he abhors it, forgetting that God made all things very good and blaspheming the work of creation, should be corrected or deposed if he is a clergyman and cast out of the Church if a layperson (c. 51 Ap; c. 9 Gangra).

Virginity is declared to be in itself beautiful and holy (c. 9 Gangra). Virginity is commended when accompanied by humility (c. 21 Gangra).

288. Basil the Great answered a question of Amphilochius, Bishop of Iconium, about which norms should be applied in the matter of marriage, those of the Roman (secular) Law or those of the Christian law. The case in point refers to the consent of the parents (or guardians or masters) to the marriage of their children or slaves, consent required by the law of the Roman state and by the Christian Church. Basil emphatically stated that marriage without the consent of the parents is not marriage but fornication; if consent is eventually manifested afterward, the woman receives three years of excommunication; if consent is not obtained, the union should be dissolved as an illegal marriage. For more insight into this matter, see c. 40, 42 Basil the Great.

If a virgin disregards her profession of virginity, let her fulfill the term of digamists (c. 19 Ancyra).

Neither clerics nor those who have professed virginity should enter the houses of widows or virgins without the approval of bishops or presbyters. If they must enter, they are to be accompanied by other clergy; not even bishops and presbyters shall go alone into their houses (c. 38 Carthage).

Those who profess virginity and, not being monastic, eventually disregard their profession and marry should be canonized as those who enter a second marriage—that is, as digamists, with one year of excommunication (c. 44 Carthage; c. 15, 16 I; c. 1 Neocaesarea); however, Basil the Great believed that if they were mature at the time of vows, they should be penanced more severely than widows professing continence or adulteresses (c. 18 Basil the Great).

Women professing virginity, though they married while they were heretics or catechumens, are pardoned by baptism. What is done by people in the state of catechumens is never laid to their charge (c. 20 Basil the Great).

If any clergymen professes verbally the interdiction to have a *subintroducta* in the house but does the things done by those who cohabit with women, it is plain that he is forfeiting the respectability of virginity that resides in the appellation and is not actually abstaining from improprieties in the matter of sensual pleasure (c. 88 Basil the Great). See also *SUBINTRODUCTA*.

VISITORS: Bishops may not be appointed in villages and country districts, but may stay there only as visitors[289] (*chorepiscopoi*, preachers, confessors, etc.); but if they are appointed, they can do nothing without the consent of the bishop (c. 57 Laodicea).

VOLUNTARY SEMINAL EMISSION: One who has a seminal emission while awake should be canonized with seven days' excommunication, each day reciting Psalm 50 and doing forty-nine prostrations (c. 9 John the Faster). See also MASTURBATION.

VOMIT: Vomiting may be caused by weakness of the body, by disease, or by overeating. When the throwing up is caused by bodily

289. In his commentary to the canon, Hefele stated that from the time of the Synod of Laodicea (343-381), in place of rural bishops (whose dioceses were unsustainable) priests of higher rank would serve the territory on a visiting basis (See Hefele in *Rudder*:158).

weakness or disease it may not be canonized, but if it is caused by drinking and overeating and it happens after partaking of Holy Communion, it should be canonized (EL 2037).

A priest who celebrates the liturgy and then drinks in excess and throws up should be canonized with six months and one thousand prostrations per day; but if the throwing up was not caused by drinking or overeating, then he should be canonized with forty days and five hundred prostrations daily (EL 2038).

A priest, deacon, or monk who, without celebrating the liturgy, overeats and throws up should be canonized with forty days (EL 2039).

A priest who vomits because of drunkenness on the day on which he has celebrated the liturgy should be excommunicated for forty days; if he vomits because of drunkenness on days when he has not celebrated the liturgy, he should be excommunicated for twenty days. If he is a drunkard, he should be excommunicated until he gives it up (Trebnik, 526).

A layman who throws up Holy Communion because of overeating and drinking should be canonized with forty days and one hundred prostrations daily; if he throws up because of disease, he should be canonized lightly and with discernment (EL 2042; c. 48 John the Faster).

If after communing the priest vomits Holy Communion, the vomit must be scraped and put into a clean clay vessel, the cloths used for cleaning should be put in the same vessel, all elements should be burned in the vessel, which will eventually be broken; afterwards, the priest will make his confession to the bishop (EL 1253).

VOTE: The vote or suffrage of the bishops is necessary at the election of a bishop; if some bishops cannot be present at the synod at the time of election on account of necessity or distance, they should send their votes in writing (c. 4 I).

If in sentencing a bishop unanimity of votes was not reached, the metropolitan should also call to the synod bishops from the neighboring provinces (c. 14 Antioch).

If a bishop is found guilty and sentenced with a unanimity of votes by the synod of the province, a new trial should not be granted to him; in other words, it is a definitive sentence with no right to appeal (c. 15 Antioch).

A bishop without a see, unless elected by a full synod, may not occupy a vacant see, even by unanimous vote of the people (c. 16 Antioch).

The votes of bishops at the election of a bishop may be in writing if personal attendance is difficult because of illness or distance (c. 4 I; c. 19 Antioch).

VOWS: The age for taking vows of monasticism, for monks and nuns alike, is the age of maturity (c. 18 Basil the Great), though for the monks the required age is twenty-five years. In exceptional conditions (such as fear of death, dangers of virginal purity) the age may be lowered to seventeen years (c. 126 Carthage; c. 18 Basil the Great; c. 40 VI).

Those who break their vows of celibacy should fulfill the penance of digamists (c. 19 Ancyra).

Those who have been enrolled among the clergy or have taken monastic vows may not accept a military charge or any secular dignity; if they repent and return to their calling, they should be forgiven; otherwise, they should be anathematized (c. 7 IV).

Those who have taken vows of celibacy (monks and nuns) may not marry; if they do so, they should be excommunicated (c. 16 IV; c. 18 Basil the Great). Again, it is not lawful for those who take vows of chastity and for monastics to marry; if they do so, let them be excommunicated; however, the bishop shall have the power of indulgence toward them (*economia*; c. 16 IV).

A monastic may not hold any property, as he or she takes vows of poverty; before entering a monastery or convent, the candidate may legally dispose of any property (c. 22, 83 Carthage). Undistributed property will be forcefully taken by the abbot and sold, and the proceeds will be given to the poor (c. 6 Constantinople I–II).

The monastic vow is valid when it is made by one who has reached maturity of judgment (c. 18 Basil the Great).

Vows of those outside the Church (i.e., of the heretics) are not valid in the Church (c. 20 Basil the Great).

It is ridiculous to vow not to eat pork, and to abstain from it is not necessary (c. 28 Basil the Great).

A monk who left the monastery and renounced the habit and who eventually repented and came back should be received without taking the vows again (c. 14 Nicephorus the Confessor). See also MONK; NUN.

WAX[290]**:** If any clergyman or layperson takes away wax (candles) or oil from the holy Church, let him be excommunicated and let him restore a fifth part more than he took (c. 72 Ap).

At the oblation it is permitted to take particles from one loaf of bread (*prosphora*) and to light one candle (c. 12 Nicephorus the Confessor).

WEAKNESS: Weakness and bodily infirmity are sufficient causes for receiving dispensation from the fasts of the Church (c. 69 Ap; c. 19 Gangra).

Vomiting may be caused by weakness of the body, by disease, or by overeating.

When the throwing up is caused by bodily weakness or disease it should not be canonized, but if it is caused by drinking and overeating and it happens after partaking of Holy Communion, it should be canonized (EL 2037).

WEALTH: Uprightness and beneficence in the enjoyment of wealth are commended (c. 21 Gangra).

WEDDINGS: Priests are not allowed to participate in the reception following a second marriage (c. 7 Neocaesarea).[291]

A clergyman who abstains from participating in a wedding or from consumption of meat and wine not because of piety but rather because he abhors them should mend his ways or be deposed from office and expelled from the Church. The same applies to a layperson (c. 51, 53 Ap).

Communicants are not allowed to join in wanton dances at weddings (c. 53 Laodicea), and clergymen are not allowed to attend plays at weddings or banquets (c. 54 Laodicea).

290. The NPNF 2.14 uses the term 'wax' for candles; the *Rudder* uses the term 'wax candles or any oil' for the same. I kept the entry under the name 'wax', even though in many instances in the text I used the term 'candles', as in the Church the most common product of wax is candles.

291. In his commentary on this canon (*Histoire*, 1.1:330), Hefele stressed the incompatibility of the priest's position as confessor and participant to the reception: "If the digamist, after contracting his second marriage, comes to the priest to be told the punishment he has to undergo, how stands the priest himself who for the sake of the feast has become his accomplice in the offense?"

Weddings and birthdays may not be celebrated during Great Lent (c. 52 Laodicea).[292]

A priest is not allowed to baptize the child of a heretic or to be a sponsor in the baptism or the wedding of a heretic; whoever dares to do so should be deposed (EL 228).

During Great Lent baptism, ordination, and tonsuring monastics are allowed; however, betrothals and weddings may not be performed unless in case of necessity, and those should be done on the day of the Annunciation or on Palm Sunday (Symeon of Thessalonika, IX.25).

WEDNESDAY: A clergyman must fast during Great Lent and on Wednesdays and Fridays unless prevented by bodily weakness; otherwise, he must be deposed (c. 69 Ap).

Wednesday is to be a day of fasting, because then the Jews conspired to betray Jesus; likewise Friday, because then Christ suffered for us. We keep the Lord's Day as a day of joy, because then our Lord rose. Our tradition is not to kneel on that day (c. 15 Peter of Alexandria).

Again, Christians fast on the fourth day (Wednesday) of the week, as Judas betrayed Christ on that day for money, and on the day of Preparation (Friday), because on that day the Lord suffered the death of the cross under Pontius Pilate. But keep the Sabbath and the Lord's day festival (AC 7.23).

Communicants may not receive Holy Communion from a presbyter who does not fast on Wednesdays and Fridays, as one may not be holy when he shows himself pious in some things and unclean in others (c. 47 Nicephorus the Confessor).

Whoever gives release from fasting on Wednesdays and Fridays, like the Jews, is crucifying Christ, because Wednesday he was betrayed and Friday he was crucified (EL 1552).

WIDOW: A widow is not ordained; yet if she lost her husband a great while ago and has lived soberly and blamelessly and has taken extraordinary care of her family, as Judith and Anna did (Judith 16:21, 23; Luke 2: 36–37), let her be chosen for the order of widows. But if

292. The Greek Orthodox Archdiocese publishes in its annual *Yearbook* a section called "Pastoral Guidelines," which lists all the days on which marriage in the Church is prohibited.

she has recently lost her husband, let her not be believed; rather, let her youth be judged by time (AC 8.25).

A widow is received into the order of widows who were supported by the Church if she qualifies for it and when she reaches the age of sixty (c. 24 Basil the Great). A widow who was received into the order before the age of sixty and wants to marry should no longer be supported by the Church and should be penanced with the penances of those who marry a second time; if the widow was received after the age of sixty and wants to marry, she should be excommunicated until she ceases from her uncleanness (c. 24 Basil the Great).

A woman abandoned by her husband without grounds for fornication may not marry another man, as he is causing her to commit adultery; and if she dares to remarry, she should be penanced as an adulteress (c. 48 Basil the Great).[293]

Marriage with a widow disqualifies a man from ordination (c. 18 Ap).

Clergymen, acting under the direction of the bishop, should undertake the care of orphans, widows, and needy who are unprovided for (c. 3 IV).

A widow should mourn her husband and not remarry for at least one year from the time of her husband's death; if she remarries sooner and becomes pregnant, the paternity of the child might be in doubt. The one who does not mourn her deceased husband one year should be admonished and canonized (EL 2025).

WIFE: The wife of a bishop, priest, or deacon is not to be divorced under pretext of asceticism or piety; if he divorces her, let him be excommunicated, and if he persists, let him be deposed (c. 5 Ap).

The wife of a bishop is to be provided for out of his private property, if he has any (c. 40 Ap).[294]

If any layman puts away (i.e., divorces) his wife and marries another or one who has been divorced by another man, let him be excommunicated (c. 48 Ap).

293. This is Basil's opinion based on Matthew 5:32. See also c. 87, 93 Basil the Great concerning those who abandon their spouses.

294. At the time of the Apostolic canons, bishops were recruited from among married priests. Later (Sixth Ecumenical Council, 692 AD) they were recruited from among monks and celibate clergy.

The ravisher or seducer of a virgin who is not betrothed should be excommunicated, and he must marry her, even if she is poor (c. 67 Ap).

If the wife of anyone committed adultery or if any man committed adultery, he or she should be restored to communion after seven years have passed in the prescribed degrees (c. 20 Ancyra).

A wife who forsakes her husband from abhorrence of marriage is to be anathematized (c. 14 Gangra).

The wife of a man who dies in an unlawful marriage and out of communion is not to be easily admitted to penance (c. 2 Neocaesarea).

If the wife of a clergyman commits adultery, he must divorce her; if he retains her, he may have no part in the ministry committed to him (c. 8 Neocaesarea).

If the wife of the priest or of the deacon commits adultery, she is penanced with three years of excommunication, dry food, and three hundred prostrations daily; she is more severely penanced than other women are because she causes the deposition of her husband. If the clergyman wants to keep her as wife, he should be defrocked; if he wants to keep his priesthood, he should divorce her (c. 62 John the Faster).

The wife of a reader or singer must not be a heretic (c. 14 IV).

Those who advanced to orders may not enter marriage, with the exception of readers and singers; if they dare to do so, they should be deposed. If any of those who enter the clergy wishes to be joined to a wife in lawful marriage before he is ordained subdeacon, deacon, or presbyter, let it be done (c. 6 VI).

A monk convicted of fornication or who takes a wife for the communion of matrimony is to be subject to the penalties for the fornicators, according to the canons (c. 44 VI).

Although it had been decreed that wives are not to be cast forth,[295] nevertheless "that we may counsel for better," the Sixth Ecumenical Council commanded that no one ordained a bishop should any longer live with a wife. But if someone disregards this

295. The first senrtence of the canon relates about a specific situation "in Africa and Libya and in other places", where the bishops, even after consecration, were living with their wives [as was the practice up to that time and duly sanctioned by c 5 Ap]. As by the 7th century the Church wanted the bishops to be celibate, an amiable separation was desired and not divorce or abandonment.

decree, let him be deposed (c. 12 VI). The wife of him who is advanced to the episcopal dignity, shall be separated from her husband by their mutual consent, and after his ordination and consecration to the episcopate she shall enter a monastery situated at a distance from the abode of the bishop. There let her enjoy the bishop's provision. And if she is deemed worthy she may be advanced to the dignity of a deaconess (c. 48 VI).

She who goes from her husband to another man is an adulteress, and he who from his wife goes to another woman is an adulterer according to the word of the Lord; they should receive seven years of penance according to the degrees [weepers, listeners, prostrators, and costanders] (c. 87 VI).

The wife of a man who has disappeared who cohabits with another before she is assured of the death of her husband commits adultery; the same for the wife of a missing soldier, although here the circumstances offer some excuse. If a soldier returns after a long time and finds his wife married to another man, if he so wishes he may take her back, pardon being extended to her and to the second husband (c. 93 VI).

A virtuous wife is the crown of her husband; many other counsels concerning a Christian wife are mentioned in the *Apostolic Constitutions* (AC 1.8–10).

A husband and wife should forgo the conjugal act on Saturdays and on Sundays, for on those days the spiritual sacrifice is offered to the Lord (c. 13 Timothy of Alexandria).

If a man's wife is possessed to such a degree that she has to be restrained with irons, and if the man cannot contain himself, is he allowed to marry another? The answer is that he will commit adultery (c. 15 Timothy of Alexandria).

A husband and wife should decide together when they should distance from one another to devote time to prayer and when to come together, as the Apostle Paul taught (1 Cor. 7:5; c. 3 Dionysios of Alexandria).

A man who marries his brother's wife is not admitted to communion until he dismisses her (c. 23 Basil the Great).

He who marries a woman whom he has corrupted shall be under penance for four years, but he may retain her as wife (c. 25 Basil the Great).

She who marries a man who was deserted for a while by his wife but afterward is dismissed upon the return of the man's former wife commits fornication through ignorance; she shall not be prohibited to marry, but it is better that she not marry (c. 46 Basil the Great).

One who marries the sister of his first wife should be treated as an adulterer (c. 78, 87 Basil the Great; c. 11 Timothy of Alexandria).

A son may not take as wife the concubine of the father, and the father may not take as wife the concubine of the son (c. 87 Basil the Great).

He who, having another man's wife or spouse taken away from him, marries another is guilty of adultery with the first but not with the second; his adultery is penanced with fifteen to eighteen years of excommunication (c. 37 Basil the Great).

One who commits sodomy with his wife is canonized with eight years of excommunication (c. 65 John the Faster).

If someone enters into a sexual relationship with the mother of his betrothed or with any other relative of his future wife, the marriage should not take place. If these sexual relationships take place after the marriage, then the marriage stays, and the guilty parties should be canonized with twelve years; the term may be reduced (through *economia*) if they fast, pray, and give alms (EL 373).

One who is young and whose wife dies, if he cannot stay celibate like the Apostle Paul, may take a second wife; but if he is old, he should be penanced three years and he should do twenty-four prostrations a day (EL 388).

One who commits sodomy with his wife may not become a clergyman, and he should separate from his wife and be excommunicated for fifteen years (EL 480). See also MARRIAGE; DIVORCE.

WINE: Abhorrence of wine is a blasphemous slander of God's work; abstinence because of such abhorrence is punishable in clergymen with deposition and in laypeople with excommunication (c. 51 Ap).

Wine may be offered at the altar, but honey, milk, or raki may not (c. 3 Ap).

If any clergymen does not partake of wine on the festival days because of abhorrence of it and not because of religious restraint, let him be deposed (c. 53 Ap).

In the preparation of Holy Communion, people should bring only the loaves of bread (*prosphora*) and wine and water; milk and honey, which were brought for the baptism of infants or for the

baptism of the catechumens and given to them instead of Holy Communion, may no longer be blessed along with the *prosphora* and the wine (c. 37 Carthage).

A clergyman who does not mix the wine with water at Holy Communion and uses only wine (as the Armenians do) or only water (as the Hydroparastatae do) should be deposed (c. 32 VI).

Scriptures, Apostolic Tradition, and the Fathers, including James the Brother of the Lord and Basil, Bishop of Caesarea, "handed down to us in writing the mystical hierurgy, have given out that the sacred chalice is to be filled full of water and wine in the Divine Liturgy" (c. 32 VI).

A woman who gives birth during Great Lent does not have to fast or to abstain from wine on account of the rules of fasting, as her body is already weak (c. 8 Timothy of Alexandria).

If the Annunciation (March 25) falls on the Thursday or Friday of Holy Week, the communicants will not sin if they taste fish and wine (c. 5 Nicephorus the Confessor).

A presbyter who partied and drank wine until midnight may not serve the next day (EL 988).

Communion wine should be made from sweet grapes and should be not mixed with juice or raki or other spices; at the oblation (*proskomide*) cold water should be added (about one-eighth) and during the Divine Liturgy hot water or *zeon* (again about one-eighth; EL 1239).

On Sundays of Great Lent the faithful celebrate the Liturgy of Basil the Great . . . as for eating, we eat vegetables with oil and also we get release for wine, but fish we do not eat (*Great Typikon* in EL 1574).

WITCHCRAFT: See SORCERY; SORCERER.

WITNESS: Witnesses in an ecclesiastical court may be only people in good standing and who live a Christian life. Heretics, immoral persons, agnostics, and relatives may not be witnesses in an ecclesiastical trial (c. 75 Ap; c. 2 I; c. 64, 82, 129, 131 Carthage).

In an ecclesiastical trial a single witness is not enough (c. 2 I; c. 85 VI).

If any person who pleaded his case in any church according to the apostolic law (1 Cor. 6:1–5) imposed upon the Churches is not satisfied with the decision of the clergy, and he brings his cause

to a civil court to be judged anew as if judgment had never been pronounced, the civil authority should not allow a clergyman who was cognizant of the cause, or who was present, or even one of his relatives (who may be cognizant) to be summoned to the civil trial as witness (c. 59 Carthage).

The witness of an unthoughtful spiritual father who uses information from the sacrament of confession not only is not accepted, but the spiritual father should be canonized (c. 132 Carthage).

A Christian is not allowed to hide the crimes of his fellows; one who does so is guilty of the same offense as the principal offender (c. 71 Basil the Great; c. 38 John the Faster).

A clergyman may not take an oath on the Bible, and consequently, he is not allowed to be a witness or juror in a secular court (EL 1135).

WOMAN: A woman who marries two brothers is to be admitted to communion only at the point of death (c. 2 Neocaesarea).

Marriage with a divorced woman disqualifies a man from ordination (c. 18 Ap).

A woman who forsakes her husband from abhorrence of marriage is to be anathematized (c. 14 Gangra).

A pregnant woman may be baptized whenever she wants (c. 6 Neocaesarea).

A woman who is employed in making drugs for abortion was penanced in the past with exclusion from communion until the hour of death; but being desirous to show compassion (*economia*), we [the bishops gathered at Ancyra] ordain that such a woman should fulfill ten years of penance (c. 21 Ancyra).

If a woman, under pretense of asceticism, changes her apparel and instead of a woman's accustomed clothing puts on that of a man, let her be anathema (c. 13 Gangra).

A woman who cuts off her long hair, which is a sign of her subjection to man, under pretense of asceticism, let her be anathema (c. 17 Gangra).

No clergyman of any rank, no ascetic, and no laypeople should wash in a bath with women, for this is the greatest reproach among the heathen (c. 30 Laodicea).

Women are not allowed to reside with members of the clergy unless they are close relatives or otherwise beyond any suspicion (c. 3 I).

Women who are professed virgins are not allowed to reside with men even if they are brothers in faith or monks (c. 19 Ancyra).

Women may not go in to the altar (c. 44 Laodicea). But a nun is allowed to enter into the altar to light candles and to clean the place (c. 15 Nicephorus the Confessor).

Women are not permitted to speak at the time of the Divine Liturgy (c. 70 VI); "but if they wish to learn anything let them ask their own husbands at home" (1 Cor. 14:34).

WORLDLY BUSINESS: See BUSINESS.

WORTHINESS: The Church recognizes the worthiness of a person based on the actions of that person measured against the canonical norm. The individual seeking ordination in the Church must be found worthy so that he will be able to receive the grace of the Holy Spirit, which in turn makes the ordained person worthy to fulfill the specific ministry of his office.[296] In effect, worthiness comes from both God and humankind: from God when the worthiness is revealed to all through the Church, and from humankind when the individual struggles to live a true Christian life.

Candidates for ordination are to be examined concerning some canonical conditions: baptism, sex, health, devotion, worthiness. "He [Christ] has appointed that out of every nation the best should be ordained for the priesthood; and that not their bodies should be examined for blemishes, but their religion and their lives" (AC 6.23). See also UNWORTHINESS.

WRITING: The votes of bishops at the election of a bishop may be in writing if personal attendance is difficult because of illness or distance (c. 4 I; c. 19 Antioch).

Cathari seeking reconciliation to the catholic Church must promise in writing to observe its decrees, and particularly to communicate with digamists and with the lapsed who have been admitted to penance (c. 8 I). See CATHARI.

The consent of a bishop to the ordinations done by a *chorepiscopos* beyond his district must be in writing (c. 13 Ancyra).

296. The candidate must be found worthy not only by the ordaining bishop and the synod but also by the laypeople present at the service of ordination, who cry out *Axios!* ("worthy"). Any claim of a layperson who cries *Anaxios!* ("not worthy") must be investigated on the spot and may lead to the ordination's cancellation.

The invitation by a metropolitan to his provincial bishops to attend the synod for the election of a bishop should be in writing (c. 19 Antioch).

The ordination to ministry by a bishop in a province other than his own should be done only with the written invitation of the metropolitan and of the provincial bishops of that province (c. 13 Antioch).

When an election of bishops takes place, all the bishops should be invited; if one stays away, even after being reminded in writing and failing to reply, the election will go forward without him. Bishops should be ordained in cities and not in villages and small towns—basically, wherever other bishops were ordained before; and if a city grows to be worthy of a bishop, let it receive one (c. 6 Sardica).

ZEON: *Zeon*—literally, "living water," or the "heat"—is the hot water added to the chalice after the breaking of the Lamb (*amnos*). It symbolizes the fervor, the heat, of faith and the descending of the Holy Spirit.

After the breaking of the Lamb, the deacon asks the celebrating priest to bless the water, saying, "Bless, Master, the *zeon*," after which the priest blesses with the hand, saying, "Blessed is the fervor of Your Saints, now and always and forever and ever. Amen." Then the deacon pours the *zeon* into the chalice in the sign of the cross while the priest says, "The fervor of faith, full of the Holy Spirit. Amen."

This rite of the *zeon* is attested first in the year 582, when the Byzantine emperor Maurice (582–602) invited the Armenian Catholicos Mose II Egivatedze to come to Constantinople and participate in a Christological discussion. The catholicos answered, "May God protect me from crossing the River Azat, from eating leavened bread, and drinking hot water."

Nicholas Cabasilas considered the pouring of hot water into the chalice and the formula associated with this gesture to be symbols of the descending of the Holy Spirit on the Church. The *zeon* reminds the faithful about both the fire of the Holy Spirit and the living water that flows from the hearts of believers.[297] This interpretation is firmly established in Orthodox tradition; one may recall that in the

297. "He who believes in Me, as the Scripture has said, out of his heart will flow rivers of living water" (John 7:38).

past, in addition to the formula said in pouring the *zeon*, the first stanza of the fourth ode of St. John Damascene's Canon of Pentecost was chanted at this point.

A priest must not prepare Holy Communion without *zeon* unless under the stress of a great necessity or there is no hot water available there (c. 13 Nicephorus the Confessor).

At the oblation (*proskomide*) cold water should be added (about one-eighth) and during the Divine Liturgy hot water, *zeon*, should be added (again about one-eighth; EL 1239).

GLORY BE TO GOD.

APPENDIX 1

Excursus on the Meaning of the Word "Canon"

The word "canon" (Greek κανών) is a rather interesting word with multiple meanings and applications, and as such contributes to some confusion in the mind of the reader who may not grasp the specific meaning for a specific context. The word was originally a Semitic word (*qanneh*) borrowed into the Greek language and understood as a "straight rod", "line" or "yardstick" used in mundane activities as carpentry, tailoring and construction. Then a metaphorical use of the word in ancient Greek philosophy and science brought to it the sense of "criterion" or "norm", and eventually it was used in Hellenistic thought with notions close to "order" and "discipline."[1] The Roman equivalent stressed mostly those notions of order and discipline through the use of the terms norma and regula.

Among the array of meanings for the word "canon", I cite just a few[2]: measure of Christian attainment, list of books in the Old and New Testaments, decree of a Council, rule of clerical life, table for calculation of the date of Easter, a part of the Church service and even a prescribed ordinary payment to a church.

In this Orthodox Canon Law reference book, I am using the term "canon" mostly for matters of established order in the Church. We must, however, also give attention to the fact that Orthodox Canon Law deals with the teachings and commandments of our Lord and Savior Jesus Christ and of the Holy Apostles, transmitted to the universal Church

1. Closely related terms to κανών are: ὅρος (definition), παράδειγμα (example), τύπος (pattern), μίμησις (imitation), and ἀκρίβεια (precision, exactness).

2. An exhaustive list of meanings and of the authors and contexts is provided in Henry R. Percival, "Excursus on the Use of the Word 'Canon' in the Seven Ecumenical Councils," in the NPNF 2.14: 9–10.

through Scripture, revelation, Apostolic Tradition and Christian interpretation of the Old Testament, and such doctrinal concepts as could not be easily presented in short, concise juridical terms.

In the fourth century a semantic shift concerning the Canons began in the Church. Previously the Canons were understood as theoretical foundations from Scripture and Tradition applied to the needs of established order and discipline (τάχις) in the Church. With the *Apostolic Constitutions*, those theoretical foundations became explicit decisions attributed to the Holy Apostles, thus carrying not only an authoritative power but also a judicial aspect stressing the rigor of the law.

Besides these authoritative teachings and commandments, the Holy Fathers of the Church and Churches themselves viewed some ecclesiastical practices as normative, calling them canons, decrees, or regulations; eventually all were referred to as canons, though the term "canon" should be used most appropriately when referring to an authoritative interpretation of Scripture and Tradition.

By the end of the fourth century, the term "canon" was understood as pertaining to both juridical and doctrinal statements, part of a large *Corpus Canonum*, extracted from quotable sources[3] and ready to be used for a multitude of applications. Thus the ecclesiastical laws, the decrees and as well the secular aspects of Church life spread throughout many secular laws, coalesced towards a formalized legal system of the Christian Church, called Canon Law.

3. The variety of sources, as well as the high esteem for those sources, contributed to an eclectic collection of canons, with much disparity in formulation and quantification of the subject matter. For example, canon 1 of the Holy Apostles refers to one issue, the ordination of the bishops, and is expressed in a very brief form: "A bishop must be ordained by two or three other bishops." In contrast, canon 87 of St. Basil the Great is in fact a letter written by St. Basil to Diodorus of Tarsus in 373 AD dealing with many subjects—a letter that extends in the Rudder to more than two pages (*Rudder* 1 and 842–844, respectively).

APPENDIX 2

Excursus on the Priest-Penitent Privilege

The Christian Church of the first millennium and then the Orthodox and the Roman Catholic Churches kept steadfast the secret of confession, legalized their respective Canon Laws, and also influenced the secular law of their countries.[1] The secret of confession (in the Orthodox Church), or the seal of the confessional (in the Roman Catholic Church) has been accepted in the secular law of the United States as priest-penitent privilege, or the principle of privileged communication.

The Greek Orthodox Church, as well as the Roman Catholic Church, views confession as sacramental, an act necessary for the forgiveness of sins, and consequently an integral part in the process of salvation. This understanding led to the doctrine of the secret of confession as inviolable and absolute.

The first time a court of the United States had to deal with the issue of the secret of confession was in 1813, at the Court of General Sessions, New York, when a Roman Catholic priest refused to reveal information received under the seal of confession. The court of New York and subsequently other courts not only accepted the secret of sacramental confession but also extended it to many other types of communications. Other states gradually followed New York's lead, and by the middle of the twen-

1. Byzantine emperors levied sharp punishments against clergymen who divulged the secret of confession, the harshest being cutting off the tongue. In the Roman Catholic Church, Pope Innocent III commented in 1215 that "whosoever reveals a sin announced at the tribunal of penitence . . . must be stripped of his priestly office and committed to life in a monastery of strict observance." Recently, Code 983 of the Canon Law of the Roman Catholic Church stipulates that "the sacramental seal is inviolable. Accordingly, it is absolutely wrong for a confessor in any way to betray the penitent, for any reason whatsoever, whether by word or in any other fashion."

tieth century, priest-penitent privilege was recognized by American law. By 1968 laws in forty-seven states affirmed the confidentiality of priest-penitent communication.[2]

Recently, the legal climate has begun to shift as issues involving child abuse, sexual molestation, and battered women have captured the attention of people and politicians. One can see a narrowing of the application of the principle and challenges directed not to the provisions of the statutes but to the rules of evidence. With the passing of strict, zero-tolerance child abuse statutes and the accumulation of cases in the lower courts, the Supreme Court may be soon compelled to weigh in on priest-penitent privilege.

The U.S. Department of Health and Human Services Administration for Children and Families, produces a yearly report, *Clergy as Mandatory Reporters of Child Abuse and Neglect*, in which statutes that identify people who are required to report child abuse and neglect are enumerated; privileged communications may or may not allow maintaining confidentiality.

Some states do not differentiate between sacramental confession and counseling, advising, or even teaching. Other states identify as ministers obligated to report abuse not only priests, pastors, and rabbis but also Christian Science practitioners, Zen Buddhist leaders, Sunday School teachers, and other individuals who do not have any connection with sacramental confession.

The rules concerning mandatory child abuse reporting in many statutes were written with the sweeping provision of covering all situations and all possible reporters; however, there are several child abuse reporting laws which exempt ministers from reporting child abuse if they learned of the abuse in the course of a conversation protected by the clergy-penitent privilege.[3]

A confession that takes place in the church during which the priest is vested with the *rasson* and the epitrachelion, and that follows the service book and the rules and regulations of the Church, is a sacramental

2. See Gerd Schroeter, "Protection of Confidentiality in Courts: The Professions," *Social Problems* 16(3), 1969:376-385.

3. In the state of Utah, clergy are required to report abuse unless it is obtained during a "confession." Utah Code Ann. § 62A-4a-403 (2009). The same is true in Arizona, Ariz. Rev. Stat. § 13-3620 (LexisNexis 2009); Oregon, Or. Rev. Stat. § 419B.010 (2007) (incorporating by reference the clergy-penitent privilege at Or. Rev. Stat. § 40.260 (2007)); and California, Cal. Penal Code § 11166(d) (Deering 2009).

confession protected by priest-penitent privilege.[4] Confessions that take place in a church office or in other places and that do not meet these ecclesiastical criteria are looked as counseling, and thus in these cases the secret of confession could be challenged and the confessors forced to testify in court.

4. An old understanding of confession is that the Lord carries the burden of the sins of the penitent, as he is the one who forgives. Consequently, the confession is oral and takes place in front of the icon of Christ—there is no need to keep notes about the sins or about the process; confessing by phone or via the Internet seems to be an aberration but is done. Based on my research, no case of child abuse mentioned in the lawsuits against the Roman Catholic priests has been challenged based on priest-penitent privilege. Challenges have been raised, however, based on written evidence of confessions or some administrative decisions related to improper behavior of the confessors.

APPENDIX 3

Excursus on Byzantine Imperial Legislation Concerning Homosexuality

The Byzantine Empire (4th to 15th c.), heir of the East Roman Empire, issued legislation as a continuation and development of the great legislative principles and concepts of Roman Law. Building upon the Roman legislative tradition, Byzantine Law enlarged the scope of legislation to the new developments in the society of the 4th to the 15th centuries. One such enlargement referred to Christian faith, Church, society and individuals in relation with the State. If in Roman Law a few prescriptions dealt with rituals and auspices, in the new Byzantine society the role, authority and place of the Christian Church, as well as the relationships between Church, Empire and people, had to be codified. One such aspect is the legal view of homosexuality in Canon Law (Church law) and in Imperial Law (Secular law).

During the Roman Republic (509–27 BC) there was not much legislation concerning homosexual relations, as at the time homosexual relations occurred mostly between masters and theirs slaves, who were not legally regarded as human beings (personae) but as things (res).

During the Roman Empire (27–467 AD in the West, 27-610 AD in the East), as the family went on the slippery slope of dissolution, the Emperors took legislative measures to strengthen the family (e.g. *Lex Iulia de adulteriis coercendis*)[1] and to curb the vices of Roman citizens. In the

1. The Lex Iulia was imposed in the year 17 BC by the Roman Emperor Octavius Augustus. This law punished adultery with banishment, the guilty parties being exiled to different places (usually islands), while part of their property was confiscated. Fathers (*pater familias*) were permitted to kill daughters and their partners in adultery. Husbands could kill wives' sexual partners under certain circumstances and were required to divorce adulterous wives. Emperor Augustus did not spare his daughter Julia, who was banished to the island of Pandateria (modern Ventotene). Eventually, the law was made

Empire, Christians promoted family and condemned divorce, abandonment, abortion, homosexuality (known at the time as 'sodomy' or 'sin against nature'), incest, fornication, polygamy, multiple marriages, and other vices related to sex and family.

One attempt to strengthen the Roman family occurred in 149 AD through the *Lex Scatinia,* named after an almost unknown tribune Scatinus, which required a heavy fine rather than capital punishment for the offense of *stuprum,* a term used in the text of the law for any illicit sexual intercourse[2].

On Dec 16, 342, the Emperors Constantius and Constans passed a law, which was included also in the later Theodosian Code as Theodosius IX.VIII.3, with the following wording: "When a man marries, in the manner of a woman, a woman about to renounce men (*quum vir nubit in feminam viris porrecturam*), what does he wish, when sex has lost all its significance; when the crime is one which it is not profitable to know; when Venus is changed to another form; when love is sought and not found? We order the statutes to arise, the laws to be armed with an avenging sword, that those infamous persons who are now, or who hereafter may be, guilty may be subjected to exquisite punishment."[3]

A Roman legal compilation popularly known as the *Law of God,* passed down to the modern world in three medieval Latin manuscripts, contains in its sixteen titles some important legislation concerning homosexuality. The text of the *Law of God* in the section *De stupratoribus* quotes the famous Old Testament prohibition of male homosexuality, "If a man lies with a male as he lies with a woman, both of them have committed an abomination. They shall surely be put to death. Their blood

stricter in the Justinian Code, in which Lex Iulia was included; the punishment inflicted on the guilty parties was death by sword (gladio)—not only for those who committed adultery but also for those who dared to commit acts of vile lust with other men (*cui cum masculis infandam libidinem exercere audent*). See Enzo Nardi, Instituzioni di Dirito Romano (Milano: Giuffre Editore, 1986), 2: 200.

2. The Latin *stuprum* is the equivalent of the Greek term φθείρειν, and in Byzantine law and canon law, committing *stuprum* refers to all kinds of illicit sexual behavior, such as abduction and rape, adultery, illicit marriage, sex with one's betrothed before puberty or before thirteen years of age, the violation of virgins, and homosexual acts. See Patrick Demetrios Viscuso, Sexuality, Marriage and Celibacy in the Byzantine Law (Brookline: Holy Cross Orthodox Press, 2008), 48, 109, 123, 142–143, 149, 152–154.

3. Quoted from Paul Halsall, "Justinian I: Novel 77 [538] and Novel 141 [544 CE]", Internet History Sourcebooks Project, Fordham University, April 1997 (www.fordham.edu/halsall/pwh/just-novels.asp).

shall be upon them."[4] The condemnation of homosexual acts is justified by "the feminization of the male modesty" and "the unmanly corruption of the people."[5] Codex Theodosianus IX.VII.6 makes the ultimate punishment quite clear—"by being burnt with avenging flames in full view of the people."

Emperor Justinian (r. 527–565), imbued by faith, felt responsible for the citizens of the Empire. In his New Constitution (*Novel*) 77 in 538 AD, he declared, "We invite all Our subjects to fear God and invoke His clemency, for We know that all those who love the Lord and are deserving of His pity do this."[6]

Justinian was convinced that practicing sins against nature brings not only destruction to families but also to cities and their inhabitants: "As certain persons, instigated by devil, devote themselves to the most reprehensible vices and commit crimes contrary to nature, We thereby enjoin them to fear God and the judgment to come, to avoid illicit sensuality of this kind;[7] in order that, through such acts, they may not incur the just anger of God, and bring about the destruction of cities along with their

4. Leviticus 20:13.

5. Here is the text of the Law of 390 as it was preserved in Codex Theodosianus IX.VII.6 and in the Law of God 5.3: "The Emperors Valentinianus, Theodosius and Arcadius to Orientius, vicarious of the city of Rome: "We do not allow the city of Rome, which is the mother of all virtues, to be defiled any longer by the contamination of the feminization of male modesty and that rustic strength inherited from the ancient founders of the city which has been diminished by the unmanly corruption of the people to cast disapproval any longer on the centuries of the founders or the emperors, our most dear and pleasing Orientius. Your praiseworthy skill will therefore seize, as the enormity of their crime demands, all those whose habitual crime it is to employ their manly body in a feminine manner and to condemn it by the passive role of the opposite sex, drag them all out of (we are ashamed to use the words) male brothels, and expiate their crimes by means of avenging flames before the people, so that all may understand that the lodging place of a man's soul ought to be sacrosanct to everyone and that one who has disgracefully corrupted his own sex cannot be permitted to have sought the opposite sexual identity without the ultimate punishment. Posted on 14 May at Rome in the atrium of Minerva." Trans. Timothy Barnes, *The New Empire of Diocletian and Constantine* (Cambridge: Harvard University Press, 1982), 54.

6. One can see in the preface of Novel 77 the influence of Christian values on an emperor given mostly to authority and sternness. See preface to the 77th New Constitution (*Novel*) in S. P. Scott, *The Civil Law* (Cincinnati: The Central Trust, 1932), vol. 16, which includes excerpts from www.constitution.org/sps/sps.htm.

7. Justinian, Novel 77, See S. P. Scott, The Civil Law, vol. 16, chapter 1, paragraph 2, www.constitution.org/sps/sps.htm.

inhabitants; for We learn from the Holy Scriptures that both cities as well as men have perished because of wicked acts of this kind."

To those sins against nature, Justinian and his legislators added the sin of blasphemy against God and men, blasphemy against God being the most serious as it causes displeasure to God and leads eventually to famine, earthquake and pestilence.

The gravity of these two categories of sins was underscored by the fact that the Emperor was not satisfied with the punishment of Canon Law for those sins, but brought into the fore the heavy hand of the Secular Law: "We order the Most Glorious Prefect of this Royal City to arrest any persons who persist in committing the aforesaid crimes, after the publication of Our warning; in order that this city and the State may not be injured by the contempt of such persons and their impious acts, and inflict upon them the punishment of death."[8] Moreover, if the magistrates or even the 'Most Glorious Prefect' became aware of such offenses and they did not punish them[9] in accord with the newly issued laws, they [the magistrates and the Prefect] would be condemned by God.

Just six years later (544 AD), Emperor Justinian and his Court issued *Novel 141*,[10] in which the danger of homosexual acts was brought to attention and morally condemned in the Preface, which is followed by an article of law. In the article of law, a change in behavior of those who practiced homosexuality is promoted and ecclesiastical means (as confession and repentance), as well as judicial means (punishment) are explicitly stated: "But as for those who have been consumed by this kind of disease, let them not only cease to sin in the future, but let them also duly do penance, and fall down before God and renounce their plague [in confession] to the blessed Patriarch; let them understand the reason for this charge, and, as it is written, bring forth the fruits of repentance. Those who persist in such impious conduct will bring upon themselves severe penalties, even though on other counts they are held guilty of no

8. Justinian, Novel 77, See S. P. Scott, *The Civil* Law, vol. 16, chapter 1, paragraph 2, www.constitution.org/sps/sps.htm.

9. New scholarship interprets this remark and others similar to this as a fact that the laws against homosexuality were not applied in totality (Paul Halsall, "Justinian I: Novel 77 [538] and Novel 141 [544 CE]," Internet History Sourcebooks Project, Fordham University, April 1997 at www.fordham.edu/halsall/pwh/just-novels.asp).

10. Novel 141, trans. in Derrick Sherwin Bailey, *Homosexuality and the Western Christian Tradition* (London: Longmans, Green, 1955), 74–75, and used by Paul Halsall, "Justinian I: Novel 77 [538] and Novel 141 [544 CE];" the two quotations come from Halsall.

fault. For there will be no relaxation of enquiry and correction so far as this matter is concerned, nor will they be dealt with carelessly who do not submit themselves during the time of the holy season, or who persist in such impious conduct."

The influence of Christian faith on the Emperors' decisions and behavior appeared stronger over the years. The cold and direct penalties of the Roman Law were now considered as a last resort after the Christian remedy was applied (confession, penance and forgiveness). In the mind of Orthodox theologians, that was the golden time of the Byzantine Empire, when the Patriarch and the Emperor worked in harmony and concord for the welfare of the State and the Church.

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The *Syntagma* enjoyed immense popularity in the later years of Byzantium and in post-Byzantine Greece and served as the basic canon law collection until the publication of the *Pedalion* of Saints Nikodemus and Agapius. Translations into Slavonic made possible the use of the *Syntagma* in Serbia, Bulgaria, Romania and Russia.

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1865, 45–168. The book is a compilation of the Church's canons (holy and divine) organized on six major themes or sections (About Bishops, About Presbyters, Deacons and Subdeacons, About Clergy, About Monastics and Monasteries, About Laity, and About Women). The themes are subdivided into titles, and under each title into a number of brief entries dealing with canonical aspects of church life, each one referring back to the canonical source (ecumenical or regional synod, Fathers, etc.). Some of the entries have short interpretations (*scholia*). This model of organization was used in the Reference Book with the following differences: two tiers of organization rather than three (theme and brief entries verse theme, title and brief entries), occasional interpretations (scholia) verse footnotes, and most importantly, alphabetical and thematic organization verse thematic.

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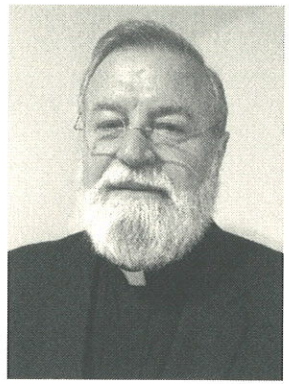
About the Author



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